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STATUS OF ROMAN CATHOLICISM IN CANADA

Nouvelle France, the original Canada, was almost wholly Roman Catholic, the few Huguenots and other Protestants in the Province being practically negligible, numerically and otherwise.

When, in September, 1759, Quebec capitulated to the British commanders, M. de Ramesay, "Lieutenant Pour Le Roy, commandant Les hautes et Basse Ville de Quebec" demanded, Article 6, "Que L'Exercice de La relligion Catholique apostolique & romaine sera conservé, que L'on Donnera des sauve gardes aux maisons des Ecclesiastiques, relligieux & relligieuses particulierement à Mgr. L' Evêque de Quebec qui rempli de zele pour La relligion Et de Charité pour le peuple de son Diocese desire y rester Constamment, Exercer Librément & avec La Decense que son Etat et les sacrés mysteres de la relligion Catholique Apostolique & Romaine, Exigent, son Authorité Episcopale dans La ville de Quebec Lorsqu'il Jugera à propos Jusqu'à ce que la possession Du Canada ait Eté decidée par vn traité Entre S. M. T. C. & S. M. B." *Documents relating to the Constitutional History of Canada, 1759-1791.* Edited by Drs. Adam Shortt and Arthur G. Doughty, Ottawa, The King's Printer, 1918. Second and revised edition, p. 3. (This admirable publication of the Canadian archives will be constantly quoted from with a reference to the page only.)

There was apparently no English version—at all events, none is extant. But the contemporary translation is sufficiently accurate.

"That the exercise of the Catholic, Apostolic and Roman religion shall be maintained; and that safeguards shall be granted to the houses of the clergy, and to the monasteries, particularly to his Lordship the Bishop of Quebec, who, animated with zeal for religion, and charity for the people of his diocese, desires to re-

side in it constantly, to exercise, freely and with that decency which his character and the sacred offices of the Roman religion require, his episcopal authority in the town of Quebec, whenever he shall think proper, until the possession of Canada shall be decided between their Britannic and most Christian Majesties." p. 6.

The demand of the French Commandant indicates the deep reverence of the French-Canadian for his Church, his affection for her and desire for her continuance in his Province, all undiminished by the course of time and as strong today as a century and a half ago.

De Ramesay's demand might well be read and not improbably it was intended, as looking to the maintenance of the Church of Rome as the State Church of Canada. This, Admiral Saunders and General Townshend, who had succeeded to the command of the British troops on the death of Wolfe, could not possibly grant; and their reply was carefully and unambiguously worded.

"libre Exercice de la Religion Romaine, sauves gardes accordées a toutes personnes Religieuses ainsi qua Mr. Leveque qui pourra venir Exercer Librement et avec Deçence Les fonctions de son Etat lorsqu'il le Jugera a propos jusqu'a ce que la possession du Canada ayt été Decidée entre Sa Majesté B. et S. M. T. C." p. 3. "The free exercise of the Roman religion is granted, likewise safeguards to all religious persons, as well as to the Bishop, who shall be at liberty to come and exercise, freely and with decency, the functions of his office, whenever he shall think proper, until the possession of Canada shall have been decided between their Britannic and most Christian Majesties." p. 6.

It will be observed that nothing appears in the way of continuance of Roman Catholicism as a State Church in the Province, but only tolerance and protection.

But de Ramesay had but limited authority as "Lieutenant Pour Le Roy, Commandant Les hautes et Basse Ville de Quebec," and he could not and did not surrender Canada, but only Quebec and the comparatively small territory in its vicinity and dependent on it. The rest of Canada, Montreal, Detroit, Michillimackinac, remained in French possession for about a year.

When in September, 1760, de Vaudreüil, "Gouverneur et Lieutenant Général pour Le Roy en Canada," was compelled to sur-

render Montreal to Sir Jeffrey Amherst, he exercised great vigilance in the interest of the Roman Catholic Religion and Church. In the very elaborate Articles of Capitulation drawn up in Montreal to submit to Amherst, Article 27 read:

"Le Libre Exercice de la Religion Catholique, Apostolique et Romaine Subsistera En Son Entier; En Sorte que tous Les Estats et les peuples des Villes et des Campagnes, Lieux et postes Eloignés pouront Continuer de S'assembler dans les Eglises, et de frequenter les Sacremens, Comme Cy devant, Sans Estre Inquietés, En Aucune Maniere directement, ni Indirectement.

Ces peuples seront Obligés par le Gouvernement Anglois à payer aux prestres qui en prendront Soin, Les Dixmes, et tous les droits qu'ils avoient Coutume de payér sous le Gouvernement de Sa Mté tres Chrestienne." pp. 15, 16.

As at Quebec, so at Montreal, there seems to have been no English version of the Articles of Capitulation; at all events, none is extant, and I follow the sufficiently accurate contemporary translation.

"The free exercise of the Catholic, Apostolic, and Roman Religion, shall subsist entire, in such manner that all the states and the people of the Towns and countries, places and distant posts, shall continue to assemble in the churches, and to frequent the sacraments as heretofore, without being molested in any manner, directly or indirectly. These people shall be obliged, by the English Government, to pay their Priests the tithes, and all the taxes they were used to pay under the Government of his most Christian Majesty." p. 30. ("Estats," the modern "êtats," should of course, be translated "Estates," i.e., "conditions in life" and not "states.")

It will be seen that the sting of this demand lay in the tail: Vaudreüil expressed what de Ramesay only suggested, that the status of the Church of Rome as the State Church of the Province should continue, and tithes and other Church Rates should continue to be enforceable by law.

Amherst, of course, could not consent to such a proposal—his reply reads:

"Accordé, pour le Libre Exercise de leur Religion. L'Obligation de payer la Dixme aux Prêtres, dependera de la Volonté du Roy." p. 15.

"Granted, as to the free exercise of their religion, the obligation of paying the tithes to the Priests will depend on the King's pleasure." p. 30.

By article 28, the Chapter, Priests, Gurates and Missionaries were secured "with an entire liberty, their exercise and functions of cures in the parishes of towns and countries." pp. 16, 31: while Article 29 secured the Grand Vicar the free exercise of his functions. pp. 16, 31. Article 32 protected all communities of Nuns and prevented the billeting of soldiers on them; and Article 34 protected the estates of Priests and their Communities. pp. 17, 32.

But other demands were not acceded to—that of Article 30 that the King of France should "name the Bishop of the colony who shall always be of the Roman communion"—even "if by the treaty of peace, Canada shall remain in the power of his Britannic Majesty"—met a peremptory refusal. pp. 16, 31. Similarly, Article 31, which empowered the Bishop to establish new parishes, &c., was rejected: and Article 33 had the same fate "till the King's pleasure be known." It reads (in English translation): "The preceding article (securing the Nuns) shall likewise be executed, with regard to the communities of Jesuits and Recollects and of the houses of the priests of St. Sulpice at Montreal; these last, and the Jesuits, shall have the right to nominate to certain curacies and missions as heretofore." pp. 17, 31, 32.

Article 35 allowed "Canons, Priests, Missionaries, the Priests of the Seminary of Foreign Missions, and of St. Sulpice, as well as the Jesuits and the Recollects" if they should "chuse to go to France," to be "masters to dispose of their estates and to send the produce thereof, as well as their persons, and all that belongs to them to France." pp. 18, 32. (The word translated "estates" is "biens," rather "personal property," "moveables").

This Capitulation covered all of Canada, including the Upper Country, what is now Ontario, Detroit, Michillimackinac, &c.

It will be seen that Establishment was absolutely refused, the right of appointing a Bishop was not placed in alien hands, and Jesuits and other such communities were not guaranteed their lands (and, in fact, the confiscation of the lands of the Jesuits was a thorn in the side of Canadian and Quebec Governments until late in the 19th century, when the Government of the Prov-

ince of Quebec made a compromise with the Order. Incidentally, the refusal of the Government at Ottawa to disallow the Provincial act carrying the compromise into effect led to the formation of a third party, the "Equal Rights Party," with much the same platform, the same earnestness, the same ineffectiveness, the same ephemeral course as the A. P. A.)

The whole intention was to allow the conquered people to worship God in their own way without molestation, but nothing more. The right for the Bishop to form new parishes was refused—the existing parishes were not interfered with but matters in that regard were to remain *in statu quo*. The same plan appears in Article 40 whereby the Indians Allies of the French were to "have, as well as the French, liberty of religion and . . . Keep their Missionaries": but the demand: "Il sera permis aux Vicaires généraux Actuels Et à L'Eveque lors Le Siege Episcopal Sera rempli, de leur Envoyer de Nouveaux Missionaires Lorsqu'ils Le Jugeront Necessaire"—"The actual Vicars General, and the Bishop, when the Episcopal see shall be filled, shall have leave to send to them new Missionaries when they shall think it necessary," was refused. pp. 20, 33. And when it was asked, Article 42, that the Canadians should continue to be governed by their established laws and customs, the curt answer was made: "They become subjects of the King." pp. 20, 34.

No complaint has ever been made that these Articles of Capitulation were violated in letter or spirit. The sternest discipline was exercised in the Army of Occupation and the death penalty was always held *in terrorem* over the British soldiers, and sometimes inflicted.

After the Capitulation, Canada was under military law for some time—the Régime Militaire or Règne Militaire as the period is generally called.

Comparatively few French-Canadians left for France: those who did were chiefly of the official class whose occupation was gone.

A very full and carefully prepared account of the Church Government in Quebec was sent by Governor Murray to the Home Government in June, 1762. pp. 66-72: "The Canadians are . . . extremely tenacious of their Religion . . . ; the Jesuits are neither loved nor esteemed in general . . . ; the Recollets is an

Order of mendicants . . . careful not to give offence . . . ; the Seminary educates the Youth and fits them for Orders . . . ; the Communities of Women . . Nuns . . are much esteemed . . . and . . there are some few French Protestants . . " p. 71. Marriage between Protestant and Catholic had been forbidden. p. 75. "The Huron Indians settled at a little village called Jeune Lorette, about 3 leagues from Quebec . . . are called Roman Catholics . . . a Missionary resides among them, they have a neat Chapel where divine service is constantly performed at which all the Savages attend with a punctuality and decorum worthy of imitation by more enlightened people." p. 73.

The War came to an end and a Treaty of Peace was signed at Paris, February 10, 1763.

For some time there had been an animated not to say acrimonious discussion in England as to the detention of Canada, many favoring the detention of Guadeloupe and the return to France of Canada. The determination finally arrived at was largely due to Benjamin Franklin's exceedingly able and persuasive "Canada Pamphlet" of which it is not too much to say that it caused the destruction of the old British Empire, made possible the birth of the United States of America and revolutionized the English-speaking and consequently the whole world. (See my Article *Benjamin Franklin and Canada*, Pennsylvania Historical Magazine, 1924.)

In Article IV of the Treaty of Paris, the King of France cedes "Canada with all its dependencies . . to the King and . . . Crown of Great Britain," and the King of Great Britain, "His Britannic Majesty . . . agrees to grant the liberty of the Catholick religion to the inhabitants of Canada . . . (and) to give the most precise and most effectual orders, that his new Roman Catholic subjects may profess the worship of their religion according to the rites of the Romish church, as far as the laws of Great Britain permit." p. 115: the last clause runs in French "pour que ses nouveaux sujets Catholiques Romains puissent professer le Culte de leur Religion selon le Rit de l'Eglise Romaine, en tant que le permettent les Loix de la Grande Bretagne." p. 100.

Ireland being still a separate Kingdom, had nothing to do with Canada—the cession was "au Roylet à la Couronne de la Grande Bretagne."

The sting was again in the tail: the tolerance was only "as far as the laws of Great Britain permit": and in practice "laws of Great Britain" was always interpreted as including the legislation of the Kingdom of England before the Union of England and Scotland in the time of Queen Anne—and consequently the legislation under Queen Elizabeth against Catholics was considered as included. The French ministers did their best to have the words *comme ci-devant*, "as heretofore" inserted so as to continue Roman Catholicism as the State Religion: but this was absolutely and definitely refused, and they were specifically informed that Great Britain could grant only the "Toleration of the Exercise of that Religion." p. 169.

According to our conception of International Law, when territory is ceded to the King, he is the sole master to rule it, lay down laws for it, and generally to dispose of it, unless and until by giving his Assent to an Act of Parliament assuming to deal with it, he parts with his control. Of course, this mastery he does not regulate and exercise in person: that is left to his Privy Council.

Accordingly, we find anxious thought being given to the management of Canada by the Privy Council and especially by a Standing Committee charged with the administration of Colonial affairs, generally called "The Lords of Trade." The Lords of Trade at his request made an elaborate Report, dated June 8, 1763, to the Earl of Egremont, Secretary of State for the Southern Department, who at this time had charge of the American Colonies. They recommended, *inter alia*, that the Upper Country, now the greater part of Ontario and much of Michigan, &c., should be kept as "an Indian Country, open to Trade but not to Grants or Settlements," while the Lower Country, now the Province of Quebec and a portion of eastern Ontario, should be made a new "Government" for "all Your Majesty's new French subjects under such Government as Your Majesty shall think proper to continue to them in regard to the Rights & Usages already secured or that may be granted to them." pp. 127-147: *esp.* 141, 142. This scheme was approved: and the Royal Proclamation

of October 7, 1763, fixed the Western Boundary of the new "Government of Quebec" at a line drawn from the South end of Lake Nipissing to the point at which the Line of 45°, N. L., crosses the St. Lawrence, i. e., about the present Cornwall, Ontario; and forbade grants and settlement further west. There is nothing in the Proclamation expressly relating to religion, but the assurance given "that all Persons Inhabiting in or resorting to our said Colonies may confide in our Royal Protection for the Enjoyment of the Benefit of the Laws of Our Realm of England," was, in view of the limitation already mentioned in the Treaty of Paris, at least, disquieting, introducing as it did, the Laws of England as a whole into the new Province or "Government." pp. 163-168; *esp.* 165.

Egremont writing to General Murray, August 13, 1763, on his appointment as "Captain General and Governor-in-Chief of the Province of Quebec," warned him "to watch the Priests very narrowly, and to remove, as soon as possible, any of them who shall attempt to go out of their sphere and . . . busy themselves in any civil matters"—intelligence had been received which gave "reason to suspect, that the French may be disposed to avail themselves of the Liberty of the Catholick Religion granted to the Inhabitants of Canada . . . to keep up their Connection with France and by means of the Priests to preserve such an Influence over the Canadians as may induce them to join, whenever opportunity should offer, in any attempts to recover that Country." p. 169.

In Murray's Commission, November 21, 1763, the only reference to Popery is in the direction that he should make and subscribe the Declaration required by the Statute 25 Charles II, "An Act for preventing Damages which may happen from Popish Recusants." p. 174.

In his Instructions, December 7, 1763, the Lieutenant Governors and Members of the Council were also required to do the same: pp. 182, 183: He was instructed that he should "in all things regarding" the new Roman Catholic subjects "conform with great Exactness to the Stipulations of the . . . Treaty . . . " The Roman Catholics were to "deliver in upon oath an exact account of all arms and ammunition of every sort in their actual possession, and so, from time to time, of what they shall receive

into their possession": p. 191. He was "not to admit of any Ecclesiastical Jurisdiction of the See of Rome or any other foreign Ecclesiastical Jurisdiction . . . ": and the intention was declared to establish "the Church of England . . . both in Principles and practice"; and Murray was "not to prefer any Protestant minister to any Ecclesiastical Benefice in the Province . . . without a certificate from the . . . Bishop of London. . . ." pp. 191, 192. It was intended to make a reservation of public land "for a Glebe and Maintenance of a Protestant Minister" in Townships, &c. p. 192.

Pausing here in the narrative, it may be said that there never was an Established Church of the British Empire or even of the Kingdom of Great Britain. At the time of the Union, England and Scotland each had its Established Church, the Church of England being Episcopal, the Church of Scotland, Presbyterian: there was, indeed, as there still is, an Episcopal Church of Scotland, as there was and is a Presbyterian Church of England, but they are both Dissenting, Non-conformist Churches. It was only the Church of England which it was intended to establish in Quebec: but, when some decades later, a dispute arose as to the meaning of "Protestant Minister" for whom land was to be reserved, the Law officers of the Crown at Westminster, differing from the Law officers of the Colony gave an opinion that the ministers of the Church of Scotland had the same rights as those of the Church of England.

It was in these Royal Instructions declared to be the intention that the Canadians should "by degrees be induced to embrace the Protestant Religion and their Children be brought up in the principles of it." p. 191: and there can be no question that the authorities in England hoped and believed that Quebec would before long be English-speaking and Protestant.

To induce the immigration of English-speaking Protestants from the Colonies to the South as well as—to a less extent—from the British Isles, the laws promised were the laws of England, provision was made for the support of Protestant pastors and schoolmasters; p. 194: and a grant of "one hundred acres of land" was offered "to every person being master or mistress of a family, for himself or herself, and fifty acres for every white

or black man, woman or child, of which such person's family shall consist, at the actual time of making the grant": p. 196.

The hope and expectation that by a considerable English-speaking Protestant immigration and intermingling of the races, the French population would be diluted, and by inter-marriage and otherwise gradually become anglicised and Protestant, were wholly disappointed: the French-Canadian people were tenacious of language and religion and any intermingling there was had rather the contrary effect. This tenacity and the prolific Candienne were too much for the newcomer. It was expected that a very considerable proportion of the French Canadians would decline to change their allegiance—an expectation common to British and French—and, consequently, when the Treaty of Paris was made, it was expressly provided, Article IV, that "the French inhabitants, or others who had been subjects of the most Christian King in Canada may retire with all safety and freedom wherever they shall think proper, and may sell their estates, provided it be to the subjects of his Britannic Majesty, and bring away their effects as well as their persons, without being restrained in their emigration, under any pretext whatsoever, except that of debts or of criminal prosecutions": pp. 115, 117. The term limited for this emigration was eighteen months, ending August 10, 1764. This was but implementing and supplementing the Articles of Capitulation of Montreal, Article 36 providing that "if by the treaty of peace, Canada remains to his Britannic Majesty, all the French, Canadians, Acadians, merchants and other persons who chuse to retire to France, shall have leave to do so from the British General, who shall procure them a passage; and nevertheless, if, from this time to that decision, any French, or Canadian merchants or other persons, shall desire to go to France; they shall likewise have leave from the British General. Both the one and the other shall take with them their families, servants, and baggage": pp. 18, 32.

This expectation was wholly falsified by the result: outside of the official class, civil and criminal, a few professional men and a few Seigneurs, practically all French-Canadians remained in Canada, and became Subjects of King George—his "New Subjects" as they were generally called.

But notwithstanding that Canada became British *de jure* in February, 1763, as it had been *de facto* since September, 1760, it was not thought wise to change the administration, Courts, &c., until the lapse of the eighteen months allowed for those who wished to do so, to leave the Province.

That time having expired in August, 1764, an ordinance was passed at Quebec by the Governor in Council, September 17, 1764, erecting Civil Courts and thus ending Le Régime Militaire: pp. 205-210.

It was, curiously enough, one of the consequences of this legislation, apparently wholly undesigned and unforeseen, that the legal status of the Roman Catholic in Quebec came to be defined.

There were two Courts of Judicature erected: the Superior Court of Judicature or Court of King's Bench in which causes were to be decided "agreeable to the Laws of England," trial to be by jury, and the Inferior Court of Judicature or Court of Common Pleas in which causes were to be decided "agreeable to Equity, having Regard nevertheless to the Laws of *England*, as far as the circumstances and present situation of things will admit": trial to be by jury if either party desired it. In this Court, "*Canadian* Advocates, Proctors, &c.," were allowed to practise: pp. 205-207. The reason of this privilege was not as might be supposed, because the law in this Court was "Equity" in the lawyers' sense of the word, i. e., the principles of the Court of Chancery, and consequently somewhat similar to the French law both being largely based upon the Civil Law: in this Ordinance "Equity" means "natural justice" ("the length of the chancellor's foot") not "Chancery Law." The reason is given by Governor Murray in his Despatch to the Home Government *(Canadian Archives*, Q. 62 A, at p. 504). "We thought it reasonable and necessary to allow Canadian advocates and Proctors to practice in this Court of Common Pleas only (for they are not admitted in the other Courts) because we have not yet got one English Barrister or Attorney who understands the French language." There was also the provision that in all trials in the King's Bench all His Majesty's subjects in Canada should be admitted in juries without distinction.

The Canadians, "to a man, Soldiers," had already recommended themselves to Governor Murray—he thought them "per-

haps the bravest and the best race upon the globe": he believed that the introduction of English law into the Province meant the introduction of the disabilities under which Catholics suffered in England: and this he thought unjust as well as inexpedient.

It is exceedingly interesting to see the change in the view taken of the French-Canadian by the authorities: his religion was, indeed, disapproved of and his priests would stand watching, but he had proved himself a quiet, peaceful subject, not given to plotting or insistent upon renewing his political allegiance to France. His love for France continued deep and heartfelt until dismayed and bewildered, if not wholly destroyed, by the excesses of the Revolution. But loving France as he did, the French-Canadian formed no plots to shake off the British yoke.

The immigrants almost all English-speaking and Protestant and chiefly from the American Colonies had proved a disappointment: it had been hoped that the newcomers, the Old Subjects, as they were called, would mingle peacefully with the New Subjects and form a leaven whereby the whole population would gradually become English-speaking and Protestant. This hope was wholly belied: coming from communities in which Roman Catholicism was held in horror—we shall say more of this later on in the Text—communities which had lived for years in constant dread of raids from French-Canada and in which the popular preacher thought he could give his congregation the best idea of Satan and his Angels in Hell by comparing them to the French-Canadians, the immigrant, who also had the contempt felt by the English-speaking for those using another tongue, refused all intercourse except such as was unavoidable or advanced his own pecuniary interest, with the inferior, jabbering, Papist.

Between the British commercial class and, Murray, there came into existence very strained relations, even personal bitterness and antagonism: in his Despatch of October 29, 1764, he says: "Nothing will satisfy the Licentious Fanaticks trading here, but the expulsion of the Canadians." p. 231; *Canadian Archives*, Q. 2, p. 233.

The views of the Old Subjects are to be seen in the Presentment of the Grand Jury at Quebec, October 16, 1764: this body

was composed of seventeen English and seven French-speaking. The former agreed upon a Presentment in which they persuaded the latter to join: these, later, say that the obnoxious articles they did not understand "if they were interpreted"; and that claim seems highly probable.

Leaving aside other representations as not germane to the subject of this paper, complaint is made "That, among the many grievances which require redress, this seems not to be the least, that persons professing the Religion of the Church of Rome (who) do acknowledge the supremacy and jurisdiction of the Pope, and admit Bulls, Briefs, absolutions, &ca. from that see, as Acts binding on their consciences, have been impannelled, en Grand and petty Jurys even where Two protestants were partys, and whereas the Grand Inquest of a County, City or Borough of the Realm of Great Britain, are obliged by their Oath to present to a Court of Quarter Sessions or assises, whatever appears an open violation of the Laws and Statutes of the Realm, any nusance to the subjects or Danger to His Majesty's Crown and dignity and Security of his Dominions. We therefore believe nothing can be more dangerous to the latter than admitting such persons to be sworn on Jurys, who by the Laws are disabled from holding any Office Trust or Power, more especially in a Judicial Capacity, with respect to which above all other, the Security of his majesty, as to the possession of his Dominions and of the subject as to his Liberty, property and Conscience is most eminently concerned": p. 214: *Canadian Archives, Dartmouth Papers*, Vol. 1, 14, 29, *sqq*.

Remembering the suspicion under which the French priests continued to be, there is some show of reason in the objection to Roman Catholics been admitted on a Grand Jury, one of whose duties was to "present all Treasons, Misprisions of Treason, &c." But this objection could not possibly hold in the case of the Petit Jury, at least in civil trials.

Murray in his Official Despatch had explained the provision which allowed "all His Majesty's Subjects in this Colony to be admitted on Juries without distinction"—a privilege not allowed to Roman Catholics in the Mother Country. "As there are but Two Hundred Protestant Subjects in this Province, the greatest part of which are disbanded Soldiers of little Property and mean

Capacity, it is thought unjust to exclude the new Roman Catholic Subjects to sit upon Juries, as such exclusion would constitute the said Two hundred Protestants perpetual Judges of the Lives and Property of not only Eighty Thousand of the new Subjects, but also of all the Military in the Province; besides, in the Canadians are not to be admitted on juries many will Emigrate: p. 206, (n): *Canadian Archives*, Q 62 A, pt. 2, p. 500. Murray writing to the Earl of Shelburne (afterwards first Marquis of Lansdowne) from Quebec, August 30, 1766, says that there were only 19 Protestant Families in the Parishes, the "other Protestants, a few half-pay officers excepted, are Traders, Mechanics and Publicans in Quebec and Montreal . . . the most miserable collection of men, I ever knew": *Canadian Archives. Shelburne Correspondence*, Vol. 64, p. 101.

The emigration of Canadians he had come to think inexpedient. In a Dispatch to the Lords of Trade, October 29, 1764, he urged that the Canadians should be "indulged with a few privileges wch. the Laws of England deny to Roman Catholicks at home," being convinced that if that were done they would soon get the better of every National antipathy to their Conquerors and become the most faithful and most useful set of Men in this American Empire: p. 231: *Canadian Archives*, Q 2, p. 233. In the same Dispatch, he said: "certain I am, unless the Canadians are admitted on Jurys, and are allowed Judges and Lawyers who understand their Language his Majesty will lose the greatest part of this Valuable people"—but his courage did not go far enough to cause him to admit Canadian Lawyers to practise except in the Inferior Court, the Court of Common Pleas—of course, Roman Catholics were not allowed to practise Law in England. Nor did he venture to appoint a Roman Catholic Judge, equally unknown in England. The old Statute of (1605) 3 James I, c. 5, s. 8, provided that no Papist should practise "the Common Law as a Councellor, Clerk, Attorney, or Solicitor nor shall practise the Civil Law, as advocate or proctor, nor practise physick, nor be an apothecary, nor shall be a judge"; and these patriotic Grand Jurors expressed the opinion that "the admitting persons of the Roman Religion, who own the authority, supremacy and jurisdiction of the Church of Rome as Jurors, is an open Violation of our most sacred Laws and Libertys, and

tending to the utter subversion of the protestant Religion and his Majesty's power, authority, right, and possession of the province to which we belong": and "an unwarrantable incroachment on the establish'd maxims of a British Government": p. 215.

The same objection was implied against a Roman Catholic "holding any office or filling any public employment": p. 216.

The French Grand Jurors insist on the justice of the Ordinance; "that Canadian Lawyers, New Subjects of H. M. might practise (in the Court of Common Pleas) . . . appears to us the more equitable, in that it is only right that the new Canadian Subjects should employ Persons whom they understand, and by whom They are understood, all the more because there is not one English Lawyer who knows the French Language, and with whom it would not be necessary to employ an Interpreter . . . ": p. 221.

They protest against the Presentment of their confrères, "the Ancient Subjects, Grand Jurors . . . with the intention of excluding us from the privilege of serving ourselves and Our associates (les Notres, "ours"), our Country and our King, pretending that they conscientiously believe us to be incapable of holding any office or even of repulsing and fighting the Enemies of H. Mty. . . . " They protest that "It would be shameful to believe that the Canadians, New Subjects, cannot serve their King either as Serjeant or Officers. . . . For more than six Months, we have had Catholic Canadian Officers in the Upper Country, and a Number of Volunteers aiding to repulse the Enemies of the Nation." (The reference is to the Pontiac Conspiracy, in which, however, the "Enemies of the Nation" were Indians and not French.) They express "enough Confidence in the King's Goodness" to believe that he will see to it that "they and their Children might lead their Lives sheltered from Injustice. This they could never do here were they deprived of all Officers, or positions as Jurors": p. 222. These representations were duly transmitted to the Home Government by Murray who strongly commended the French position: p. 231.

The "British Merchants and Traders" in Quebec sent over a Petition to the King complaining of the Government, *inter alia*, because of "The Enacting Ordinances Vexatious, Oppressive,

unconstitutional,* injurious to civil Liberty and the Protestant Cause": p. 233; *Canadian Archives*, B. 8, p. 6. This had reference to the Judicature Ordinance now under consideration.

Transmitted to their London correspondent, it was supplemented by a petition of His "Majesty's most dutiful Subjects, the Merchants and others now residing in London Interested in and trading unto the Province of Canada in North America": p. 235; *Canadian Archives*, B. 8, p. 10. This prayed that the Government of Canada "may be at least put upon the same footing with the rest of Your Majesty's American Colonies or upon any other footing that may be thought Essential for the preservation of the Lives, Liberties and Properties of all Your Majesty's most faithful Subjects"—*alias* English-speaking Protestants.

The French were not idle: the "principal inhabitants of Canada" sent an address to the King early in 1765, "relative to the

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*Americans should remember the different meaning and connotation of the words, "constitution," "constitutional" and "unconstitutional" at the present time in the United States and at the present time in the British Empire—the latter having been also universal in the American Colonies and until the last century in the United States. The latter being a new nation it was thought necessary to draw up a document setting out the form of government and the principles and rules upon which it was to be carried on. This document was called the "Constitution," quite properly and regularly; and it was not long after 1787 that it practically monopolised the word in the United States ousting the former meaning and connotation. In the American Colonies, as in the rest of the British world, "constitution" had meant and in the British word has continued to mean the totality of the principles, more or less vaguely and generally stated, upon which the people should be governed. That is not at all what is meant by an American when he speaks of a Constitution which with him is a written document containing so many letters, words and sentences, which authoritatively and without appeal dictates what shall and what shall not be done. "Constitutional" and "unconstitutional" in the American sense mean "in accordance with" or "not in accordance with a certain document"; in the historical and British sense, "in accordance with" or "not in accordance with the proper principles of government"—in the American sense, any "unconstitutional" is illegal and invalid, in the British sense, is legal but inadvisible and wrong. The redress in the United States is an appeal to the courts, in the British Empire to the people at the polls—in the British Empire to express the meaning of the American "unconstitutional" we say *ultra vires*.

When the American Colonies insisted that taxation without representation was unconstitutional they did not mean that such taxation was illegal but only that it was wrong; so in this complaint the British merchants and traders did not mean that the Ordinance of September 17, 1764, was invalid but only that it was wrong.

See my judgment in *Bell* v. *Town of Burlington* (1915), 34 Ontario Law Reports, 619 at p. 622. *The Constitution of Canada in its History and Practical Working* (Dodge Lectures, Yale University, 1917), p. 52; *The Canadian Constitution in Form and in Fact* (Blumenthal Lectures, Columbia University, 1923), pp. 1, 2, 7.

See also Notes † and ‡, *post*.

Establishment of Courts of Justice and the Presentment of the Grand Jury." "With deep bitterness in our hearts (toute l'amertume de nos Coeurs) we have seen . . . these . . . fifteen Jurors, with the assistance of the Lawyers have proscribed us as unfit, from differences of Religion, for any office in our Country; even Surgeons and Apothecaries (whose professions are free in all countries) being among the number. Who are those who wish to have us proscribed? About thirty English merchants, of whom fifteen at the most, are settled here." (In fact, the Quebec Merchants' Petition had 21 signatures and that of the London Merchants, 25.)

"Who are the Proscribed? Ten thousand Heads of Families who feel nothing but submission to the orders of Your Majesty and of those who represent you . . . "

They ask: "What would become of the general prosperity of the Colony, if those who form the principal section thereof, become incapable members of it through difference of Religion? How would Justice be administered if those who understand neither our Language nor our Customs should become our Judges, through the Medium of Interpreters? . . . Instead of the favoured subjects of your Majesty, we should become veritable slaves; a Score of Persons whom we do not know would become the masters of our Property and of our Interests: We should have no further Redress from those equitable men (properly translated, 'no relief by means of those reliable men') to whom we have been accustomed to apply for the settlement of our Family Affairs and who if they abandoned us, would cause us to prefer the most barren country to the fertile land we now possess": p. 228: French original, pp. 224, 225; *Canadian Archives*, B. 8, p. 121.

It is to be remembered that as yet the Colony was wholly under the unrestrained power of the King, he not having, by giving his assent to an Act of Parliament, given it into the control of Parliament; and, consequently, it was for the Privy Council with its Standing Committee the Lords of Trade, or "Lords of the Committee for Plantation Affairs" and not for Parliament, to deal with the situation. See the celebrated judgment of Chief Justice Lord Mansfield in *Campbell* v. *Hall*, 1774: it is reported in *Lofft*, in *Cowper* and in 20 *Howell's State Trial* also in *Shortt*

v. *Doughty, op. cit.*, p. 522. It may be said that while this doctrine has been uniformly followed in the courts it was strongly disputed by lawyers of high standing in England and Canada.

The matter being referred by the Privy Council to this Standing Committee, it was considered advisable to take the opinion of the Law Officers of the Crown on the legal question involved. While the King had full power of administration, including lawmaking, of the Colony, he could not legally do anything contrary to an Act of Parliament—the alleged power of nullifying Parliamentary legislation asserted, to his own undoing, by the last Stuart King, no subsequent monarch attempted. If then the statute of (1605) 3 James I, c. 5, applied to the Colony, the Ordinance giving Roman Catholics the right to practise law (even in a single Court) or to sit on Juries was *ultra vires*† and without effect.

The Attorney General Sir Fletcher Norton, and Solicitor General Sir William De Grey (afterwards C. J., C. B.) gave their joint opinion to "The Right Honourable the Lords Commissioners for Trade and Plantations," June 10, 1765, "that His Majesty's Roman Catholick Subjects residing in the Countries, ceded to His Majesty in America . . . are not subject in those Colonies, to the Incapacities, disabilities, and Penalties, to which Roman Catholicks in this Kingdom are subject by the Laws thereof": p. 236: *Canadian Archives; Dartmouth Papers*, M. 383, p. 69.

With this opinion, the Lords of Trade thoroughly agreed nor could they "conceive what foundation there is for the Doctrine, that a Roman Catholick, provided he be not a Recusant convict is incapable of being admitted to practice in those Courts as a Proctor, Advocate or attorney": pp. 241, 242: *Canadian Archives*, Q. 56, p. 83; Q. 18 A, p. 131.

The Lords of Trade recommended that "in all Courts . . . Canadian Subjects shall be admitted to practice as Barristers, Advocates, Attornies and Proctors under such Regulations as shall be prescribed by the Court for Persons in general under those descriptions": Moreover, they recommended that "not only the chief justice but also the puisne judges should understand the French Language": p. 246. All legal objection based upon the old English Statute was thus disposed of. This, by the

†See Note *, *ante*.

way, is quite similar to what occurred in respect of appeals to the King-in-Council: the right so to appeal was in England, a Common Law right, but, leading to excesses, it was abolished in the reign of Charles I by the Star-Chamber Act of 1640—only, however, in the Kingdom of England. Consequently, it continued throughout the rest of the King's Dominions: and, indeed, continues today in all the Empire except the British Isles.

So, while the Statute of James like the statute of Charles was law in Canada, it did not affect rights in Canada.

The Lords of Trade closed their Report—dated September 2, 1765—by condemning "the extraordinary Proceedings of the Grand Jury of the District of Quebec" and their "irregular Presentment," as "indecent, unprecedented and unconstitutional";‡ and by advising that the "minds of the new Canadian Subjects" should be "relieved from that anxiety and uneasiness" excited thereby: p. 246. Murray had gone to England; but, July 1, 1766, effect was given to the recommendation by the President and Acting-Governor Lieutenant-General Paulus Aemilius Irving and Council passing an Ordinance expressly giving all Subjects the right to sit on Juries without distinction; and "Canadian Subjects" the right to practise in all Courts: pp. 249, 250: *Canadian Archives*, Q. 62 A, p. 515.

This measure, Irving had the satisfaction of reporting to the Lords of Trade, "contributed very much to quiet their minds": the English were made more dissatisfied and their feelings and conduct towards the Government continued to be hostile through the whole somewhat long administration of (Sir) Guy Carleton (afterwards Lord Dorchester).

The appointment of a French-Canadian Catholic Judge in the Court of Common Pleas also had like effects.

The position of the French-Canadian then was that his religion was tolerated but not established, and he had the same civil rights as the English-speaking Protestant.

For some years the disputes continued; the Home Administration, and Lords of Trade took extraordinary pains in the investigation of the best course to pursue: the English wanted a House of Assembly as promised in the Royal Proclamation of 1763, "so soon as the state and circumstances of the . . . Colony

‡See Note *, *ante*.

will admit thereof," "in such Manner and Form as is used and directed" in the Royal "Colonies and Provinces in America"; but as in not one of these could a Roman Catholic sit, an Assembly was a desideratum with the Protestant only and would necessarily be a detriment to the Canadian, making him subject to the Protestant.

On the other hand, the French-Canadian desired the promise in the Proclamation to be disregarded, that "all Persons Inhabiting in or resorting to "the Colony should have the "benefit of the Laws of England"—they wanted their own law at least in civil matters—with the Criminal Law of England they were not dissatisfied with the exception of a few Seigneurs who never could tolerate or even understand a law which treated all alike, Seigneur and Habitant, Noblesse and Commonalty, Gentleman and Boor. The ordinary Canadian was content with the English Criminal Law; cruel as it was, it was less so than the French with its rack, its judicial question, its arbitrary imprisonment, its breaking on the wheel.

For years the conflict continued, Petition and Counter-petition, representation and counter-representation, argument amounting almost to threat in some instances—for we find some of the Old Subjects going so far as to express the determination to remain English even if that meant to cease to be British.

At length, the conclusion was reached to accede to the desires of the French-Canadian although that meant breaking the Royal word and falsifying the Royal promise.

And the Quebec Act of 1774, 14 George III, c. 83, was the result.

This extended the Province to the Ohio and the Mississippi—and thereby excited the wrath of the Continental Congress which on Thursday, October 20, 1774, after avowing their allegiance to the King, assailed the "Act for extending the Province of Quebec so as to border on the Western Frontiers of the Colonies, establishing an arbitrary government therein and discouraging the settlement of British subjects in that wide extended country; thus by the influence of civil principles and ancient prejudices to dispose the inhabitants to act with hostility against the free Protestant Colonies, whenever a wicked

Ministry choose so to direct them." Peter Force's *American Archives*, Series IV, Vol. 1, p. 914.

Then it was enacted at Westminster "for the more perfect Security and Ease of the Mind of the Inhabitants of the . . . Province" that all Roman Catholic subjects should "have, hold and enjoy the free Exercise of the Religion of the Church of *Rome* subject to the King's Supremacy declared . . . by an Act, made in the First Year of the Reign of Queen *Elizabeth* . . .," i. e., in 1558. This was simply carrying out the agreement in the Articles of Capitulation, 1760, and the Treaty of Paris, 1763: and it was not in itself a subject of animadversion by the Continental Congress.

True it is that in the American Colonies, "everywhere, except in Pennsylvania, to be a Catholic was to cease to possess full civil rights and privileges": Guilday's *Life and Times of John Carroll*, New York, 1922, pp. 70, 71: and in many parts "a Protestant family ran a fearful risk in harboring a Romanist": Shea's *History of the Catholic Church in the United States*, New York, 1890, p. 498; while for some time after the Declaration of Independence the New England Primer had for the school children, cuts of the "Man of Sin," of course, the Pope. But it was not a matter affecting the other Colonies that Frenchmen in their own country were allowed to indulge in their own form of what was looked upon as simple idolatry.

A further provision relieved Roman Catholics from the oath required by the Statute of 1558 and all other oaths substituted for it by subsequent legislation against the Papal pretensions and prescribed instead a simple Oath of Allegiance, which could be taken by any Catholic as by any Protestant who could take an oath at all: pp. 572-3. This was a complete removal of all disabilities upon the Roman Catholic of Quebec—and from that time forward there has been no legal distinction as to civil right, no difference before the law between Catholic and Protestant in any part of Canada—the Jew had to wait a few decades for full enfranchisement. We have had in the Dominion of Canada as Prime Minister not only the Sovereign of the Orange Order, ultra Protestants, but also two Roman Catholics, one a French-Canadian, born a Catholic and the other an Irish-Canadian a "Vert" from Methodism to Catholicism. In the Province of

Quebec, every Prime Minister but one has been a Roman Catholic and in the Province of Ontario we have had one Roman Catholic Prime Minister and two Orangemen.

But this provision was simply carrying out the Capitulation and Treaty in the light of the opinion of the Law officers of the Crown, given in 1765: p. 236: and while very unpalatable to most of the English in the Province could do no harm to the American Colonies in view of the fact that the scheme set out in the Royal Proclamation of 1763 to have a House of Assembly in Quebec was now abandoned.

The legislation went much further than any promise or agreement—it provided that "the Clergy of the" Roman Catholic "Church may hold, receive and enjoy their accustomed Dues and Rights, with respect to such Persons only as shall profess the said Religion": p. 572.

This meant that, *quoad* Catholics, the Church of Rome was re-instated in the right to receive Tithes from its own people—this as we have seen had been demanded by de Vaudreüil on the Capitulation of Montreal in 1760, and Amherst had refused to grant it, while the Treaty of Paris is silent on the matter.

It is quite certain that nothing was further from the minds of the Imperial Administration for years than the partial establishment in Quebec of the Church of Rome: and it speaks volumes for the desire of the Government to meet the wishes of the French-Canadians expressed through their spokesmen—self-appointed as they were—that this was granted.

While such an Establishment *sub modo* of this Church might have been considered a domestic matter affecting Quebec alone, the Continental Congress did not think so. In the Address to the People of Great Britain, adopted October 21, 1774, the Congress complained that by this "Act, the Dominion of Canada is to be extended, modelled and governed as that by being disunited from us detached from our interests by civil and religious prejudices that by their numbers daily swelling with Catholic Emigrants from Europe and by their devotion to Administration so friendly to their Religion, they may become formidable to us and on occasion be fit instruments in the hands of power to reduce the ancient free Protestant Colonies to the same state of slavery with themselves." The Congress considered or affected to consider

the Act as aimed at the Colonies, a view for which there appears to have been but little if any foundation in fact.

But the Congress went on: "Nor can we suppress our astonishment, that a British Parliament should ever consent to establish in that country (Canada) a Religion that has deluged your Island in blood and dispersed impiety, bigotry, persecution, murder and rebellion through every part of the world." *American Archives,* Series IV, Vol. 1, p. 920. The Congress also said: "We think the Legislature is not authorized by constitution to establish a religion fraught with sanguinary and impious tenets . . . ." *do. do.*

"Rebellion" sounds oddly coming from this body less than two years before July 4, 1776, and already rebellious; while "bigotry" might almost be thought ironical.

In one other matter, the French-Canadian was successful: the English wished a House of Assembly, being accustomed in Homeland or Colony to Representative Legislation: the French-Canadian was accustomed to be governed and legislated for by Governor and nominated Council. The Home Administration decided to continue this form of government: and no House of Assembly was elected in Canada for nearly twenty years, open the Canada or Constitutional Act of 1791, 31 George III, c. 31, had so provided for each of the new Provinces, Upper Canada and Lower Canada, into which the former Province of Quebec was divided in that year.

The reintroduction by the Quebec Act of 1774 of the former French-Canadian law in civil matters also met the condemnation of the Congress as "abolishing the equitable system of English Law . . . " *American Archives,* Series IV, Vol. 1, p. 910. But this is no part of the present enquiry and it is not pursued.

The consideration for the wishes of Canadians shown by the Home Government and its officers had a great if not a decisive effect in preventing Canada joining the revolting Colonies in 1776.

It may, I think, be fairly concluded that if the British King and his Government paid nearly as much attention to the wishes of the Old Subjects in the Protestant Colonies as they did to those of the New Subjects in the Catholic Colony, there would have been no American Revolution, no Declaration of Independence:

and, on the other hand, had they paid as little attention to the wishes of the New Subjects as they did to those of the Old Subjects, Canada would not have continued British, and the United States of America would have stretched from the Gulf of Mexico to the Arctic Ocean. *Dis aliter visum.*

The difference in the political concepts of the two peoples should, however, be borne in mind. The Revolution in the last analysis was due to the determination of the American Colonists to govern themselves for good or ill, while the King and his Government were obstinately determined to treat these new countries as inferior and subordinate, a mere "possession" of Britain —from this faulty attitude practically all the other mistakes followed, terrible blunders as many of them were.

The French-Canadian now the most ardent parliamentarian and active politician, was then accustomed to a government by officers appointed by the Head of the State, and so long as his own rights and interests were protected, he had no concern as to the governors and legislators. When by the Act of 1791, he was granted an elective Assembly, he rapidly adapted himself to the new situation and forgot the old: but in 1776, he was content with the earlier system under which he and his forefathers had lived.

WILLIAM RENWICK RIDDELL.

Osgoode Hall, Toronto,
October 9, 1928.

THE RELIGIOUS ISSUE IN NATIONAL POLITICS

INTRODUCTION

In an article dealing with religious prejudice, which has been active in some presidential elections in this country, George Barton, in *Current History* for July, 1927, brings out the fact that religious bigotry is something we always have with us.[1] Though admitting that religious prejudice is a chronic condition of American society, yet Barton and others, who write on this subject apparently have failed to see the ancient source from which "Dame Prejudice" has sprung.

Americans did not retire one evening to hear on rising the blatant cry of "No-Popery." An evil of such proportions does not burst forth so suddenly. The anti-Catholic prejudice which survives in our country today is the offspring of royalty. Conceived in the anti-papal passion of Queen Elizabeth, in sixteenth century England, this child "Prejudice" imbibed from its mother's bosom, strife and hate.

The purpose of this paper is to trace through the historical background of America, the unbroken line of succession which this prejudice in politics against "Papists" has enjoyed since its birth in England. Particular emphasis is laid upon the national proportions this prejudice has assumed whenever it was apparent that a Catholic might reach the highest political office in our government.

I.

Protestantism is essentially nationalistic. It has ever relied upon the strong arm of the state for its existence and perdurance. Hence when the colonists—the majority of whom professed one or other of the various Protestant beliefs—came to America, with one or two exceptions they immediately made provision in their foundations for a union of Church and State. So cemented together was this alliance, that in many cases it was not until long after the colonists became states in the Union that these ties were blasted apart.

In 1733 when the last of the colonies, Georgia, was founded, the politico-religious situation of the English settlements may for convenience sake be separated into four divisions—

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1 "Religion in National Politics," Vol. VI, (July, 1927), pp. 558-562.

The first group comprising Virginia and the two Carolinas could well be called Church of England establishments. The union between Church and State in these colonies was of such a character that Condon was prompted to remark of Virginia that—

> In no other colony was there a more intimate union of Church and State, nor greater intolerance of the religion of Catholics.[2]

Any "popish" priests daring to enter within the confines of the colonies, could be proceeded against as felons. The Catholic religion was outlawed and all civic and political rights denied to its members.

For the maintenance of the parishes and ministers of the Established Church of England, tithes were imposed on the inhabitants. Any failure to comply with this regulation was punishable by fine. Such provision was most unjust because three-fourths of the population were made to support the religion of the other fourth.

A second group consisting of Massachusetts, Connecticut, and New Hampshire might be known as the Dissenters or Non-Conformists, since the established religion among them was Congregationalism.

The followers of Congregationalism have sometimes been called "Puritans," and we of today know the state of disrepute into which that name has fallen. Their cry of Christian Charity was uttered only with their lips, and abode not in their hearts; for the religious toleration which they demanded for themselves they most tenaciously withheld from others. Hence it is a phantasy for anyone to imagine that the Puritans came to America bearing the olive branch of liberty of worship. Cobb says of them that they came into this wilderness for one definite purpose—

> to establish for themselves a religious commonwealth, in which both State and Church should be patterned after their own mind, and into which they desired that none should come, who were not in thorough sympathy with themselves on these cardinal points.[3]

2 "Constitutional Freedom of Religion and the Revivals of Religious Intolerance," by PETER CONDON, in the *U. S. Cath. Historical Records and Studies*, Vol. II (1900), p. 409.

3 *Rise of Religious Liberty in America*, p. 172, New York, 1902.

The few Catholics who might be present within these establishments were denied any civic rights since the franchise was made dependent upon good and regular standing in the Congregational Church; or else, as in New Hampshire, it was limited to Englishmen of Protestant persuasion.

This last mentioned colony became so terror-stricken at the thought of "Popery" that her legislators resorted to a ludicrous and fanatical measure which proclaimed a day of fast in order to supplicate "the divine favor, . . . against the Popish party throughout the world."[4]

A third group consisted of colonies whose religious history shows a succession of changes in their ecclesiastical allegiance. This was true of the colonies of New York, New Jersey, Maryland, and Georgia. The special instrument employed by them to keep Catholics from entering the political arena was the Test Oaths.

These oaths known as Test Oaths, and Oaths of Allegiance and Supremacy, were exacted of all public officials, whether in the kingdom or in the colonies, by William and Mary upon their accession to the throne of England in 1689. Catholics were thereby refused any political or religious status since these oaths demanded that they renounce transubstantiation, and that they abjure all allegiance—whether ecclesiastical or civil—to any foreign power or potentate.

The only two colonies—since Delaware was more or less a part of Pennsylvania—to maintain, throughout their entire existence as colonies, separation of Church and State were Pennsylvania and Rhode Island.

Neither in pretense nor in practice was there at any time in these colonies an alliance between the state and any one sect. William Penn and Roger Williams were men of character and conviction, broadminded and tolerant, and deserve to occupy niches together with George Calvert, in America's hall of fame as the pioneers of religious freedom on this Continent.

Both Penn and Williams had quaffed from the bowl of bigotry in their native land. Penn had made common cause with the Catholics in their struggle before the British crown for freedom of worship. Unlike many leaders, both he and Williams were

4 *Provincial Papers*, I, 429, cited by COBB, p. 294.

willing to bestow upon others the blessings which they had secured for themselves. Upon founding their establishments in the New Country they granted freedom of worship to all residents, and equality before the law for all sects. Later on, despite Penn's opposition and much to his sorrow, the Crown, in the persons of William and Mary, and Queen Anne, were to suspend the liberal clauses of his "Frame of Government." Happily, he was spared seeing the day when his own followers, the Quakers, forfeited their title, "champions of human freedom," and passed legislation hostile to Catholics. From 1700 till 1776 all civil and political rights were denied to Catholics in the province of Pennsylvania.

Williams, like Penn, had also passed to the Great Beyond before the one blot smirched the otherwise fair name which his colony enjoyed. It is recorded that "sometime after 1688" citizenship was denied to "Romanists." As to the actuality of this fact, historians are divided. Some uphold the view that no such act was ever passed by a legislature or the people, but that it was an interpolation added as a footnote by the Committee on Revisal, to the Revised Statutes of 1744; others declare that if it was a law, it was never enforced. Whatever the solution may be, let it be said to the credit of the colony that when it came into contact with numbers of Catholics—in the persons of the officers and men of the French fleet who had come here as the colonists' allies to aid them in their struggle for independence—it immediately acknowledged the discrimination by effacing the statute.

II.

Throughout their existence, the thirteen original colonies had been practically separate and sovereign provinces, and though on the Eve of the Revolution discord was rife among them on many matters, yet on one they were in accord—the separation of Church and State. The few who had never tried an alliance of this sort, profited from the unfortunate experience of the many who had. But this decision in no way inclined all of them to remedy the situation with a dose of tolerance. Catholics were still disliked and suspected, and the peal of "No-Popery" rent the air.

The attitude towards "Papists" can perhaps best be shown in the light of the colonists' actions towards their northern

neighbors. Panic stricken lest the boundaries of Quebec might be extended to the south and west and thus enclose them in the vice-like grip of a Catholic nation, the colonists petitioned the Canadians, both by letter and by emissaries, to make common cause with them in their endeavors to secure independence. But the Catholic Canadians were as wary of Protestant Americans, as the latter were of "Papists." They quickly perceived the treachery of the American colonists who, while pretending to be friendly with liberal sounding phrases, at the same time had dispatched a note to the English Crown deploring the Quebec Act of 1774, as unwarrantable impudence in establishing a religion "that has deluged your island in blood, and dispersed impiety, bigotry, persecution, and murder through every part of the world."[5]

The Canadians preferred to run the risk of British rule, rather than attach themselves to the double standard of the colonies.

III.

It became quite evident to the colonists upon their emergence from the Revolution as states, that a stronger and more enduring body than the Continental Congresses was needed to weld them into a unified nation. The foundations for such a body were laid when the Constitutional Convention, meeting at Philadelphia in 1787, drew up the present Constitution of the United States. Though that compact opened with the words, "We, the People of the United States," yet it should be remembered that the Constitution was not created by the people, nor by the states; but that it was the work of a consolidated group of delegates.[6] It is a singular occurrence and one worthy of notice that nowhere in this monumental document is there a mention of the Maker and Master of all mankind. The sole reference to religion—Article VI, Section 3—reads that "no religious test shall ever be required as a qualification to any office or public trust under the United States." This provision evoked considerable comment. Those of a bigoted turn of mind were incensed lest the Pope should come over, become a citizen, and

5 "The Rise of Religious Liberty in the United States," in *The Catholic World*, Vol. XXIII, (September, 1876), p. 730.

6 BEARD, C. A., *An Economic Interpretation of the Constitution of the United States*, p. 325, N. Y., 1913.

establish himself in the Presidency; others of saner judgment felt that it was an insufficient guarantee against an attempt to impose a state religion; while a third party saw no protection against the ascendency of any one sect. The solution was found two years later, when ten amendments were adopted, the first of which stated that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

The colonists now as citizens had at last secured for themselves the separation of Church and State, but let no one be beguiled into believing that it was any love for Catholics which prompted the framers of the Constitution to proclaim before the world America's Magna Charta of religious freedom; or that upon the adoption of the Constitution religious liberty prevailed throughout the states.[7]

These provisions were only binding upon the national government. The states were permitted to determine such questions individually and privately.

Indeed these two principles—strong Federal Government vs. strong State Government—formed the foundations upon which the two great parties of that day, the Federalists and the anti-Federalists, who were the grand-parents of our modern Republican and Democratic parties, built their platforms.

To the honor of the national government it must be stated that it has firmly adhered to the principles of religious freedom stipulated in the Constitution, whenever its domain was increased by the acquisition of new territory.

With the newly formed states, the case was quite different. They continued in their discrimination against Catholics in two ways. In the first place, there were those states whose Constitutions limited high office to those of Protestant persuasion; and secondly, there were those other states which based the right to the franchise upon certain conditions that, *de facto*, disqualified Catholics, for public positions.

New England with the exception of Rhode Island clung to its Congregational establishment and members of that sect were the "favorite sons" for political preferments. In fact, New Hampshire became so enamored of the word "Protestant" that it has

7 HUMPHREY, E. F., *Nationalism and Religion in America*, p. 6, Boston, 1924.

never yet removed it from its Constitution. New York, New Jersey, Delaware, Pennsylvania, and Georgia confined their public officials to others than "Papists." The Carolinas were delighted beyond words with their surname of "Protestant States," and Maryland and Virginia under the spell of the Established Church, looked askance at others than its followers in appointments to public trusts.

IV.

During the course of years, a vast number of immigrants, principally from Ireland and Germany, had landed in this country. Naturally, these people confined themselves to the eastern seaboard where employment was to be had. In many lines of work they were the equals, if not the superiors, of the native-born, while in others they were distinctly the inferiors. A goodly portion of them were of the Catholic faith, and the conservative states in which they settled, apprehensive lest some day they might balance the scales with their ballot, drew up requirements for the exercise of the suffrage. Robinson maintains that when the colonies became states it was not the intention of their leaders to make provision for an extension of the suffrage.[8]

The right of suffrage has been based upon two theories—the "theory of right," and the "theory of the good of the state."[9] Under either theory may be arranged every requirement or modification of the suffrage. The first, the "theory of right," declares that a man has a natural right to the franchise in any community of which he is a law-abiding citizen and to which he fulfills his obligations. The second, the "theory of the good of the state," holds that only those who are capable of advancing the good of the state should be entitled to a vote. One would imagine that Catholics, during the colonial and early statehood periods, must have been classed under either theory, but such was not the case.

In the main the requirements which the states laid down for suffrage were concerned with the race, color, sex, age, religion, and residence of the applicants. With the exception of color and race—which were abrogated by the adoption of the fifteenth

8 Robinson, E. E., *Evolution of American Political Parties*, p. 31, N. Y., 1924.
9 Porter, K. H., *A History of the Suffrage in the United States*, pp. 5-6, Chicago, 1918.

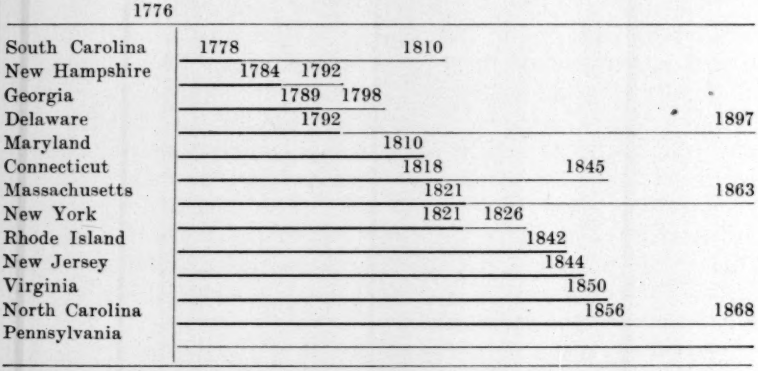
amendment in 1870—and religion, these qualifications formed the basis for the naturalization laws of the Federal Government.

In addition to these general requirements the states demanded two others—property and tax-paying qualifications—which were more important and far-reaching in their consequences since they confined the management of the states to a very small minority group—the taxpayers.[10]

From the accompanying chart one can readily perceive the continuance of these requirements in the thirteen original states and also can infer that such regulations must have bred a restrictive form of government. True it is that suffrage requirements must adapt themselves to the social and economic conditions prevailing at any particular time, but when these regulations are masked under the cloak of false patriotism so that they defeat the purpose of democracy—that form of government in which the ruling power of a state is legally vested, not in any particular class or classes, but in the members of the community as a whole—then they must be deemed unfair.[11]

CHART

Duration of Property and Taxpaying Qualifications[12]



Heavy lines indicate duration of property qualification. Fine lines indicate duration of taxpaying qualification.

After 1817, no state came in with a property or taxpaying qualification.

10 Robinson, E. E., *op. cit.*, p. 32.

11 Bryce, James, *Modern Democracies*, Vol. I, page. 20, N. Y., 1921.

12 Cf. Porter, K. H., *A History of Suffrage in the United States*, Chicago, 1918.

V.

Catholics, as might be expected from the colonial background of these states, were looked upon as "foreigners" and hence thought of as incapable of advancing the welfare of the polity. In addition to these property and tax-paying qualifications, they also labored under the difficult demands of the test oaths. It was not until the wheels of time had made many revolutions that the states discarded these provisions and advanced their Catholic inhabitants to full religious and civic equality before the law. From the chart it is evident that a few states—for example Virginia and North Carolina—stood on the threshold of the Civil War before abolishing their property clauses. In Pennsylvania and Rhode Island a tax requirement still hangs on but it is only nominal and really is equivalent to a registry fee or the poll tax required by some states at the present time. The abolition of the test oaths was only accomplished after considerable agitation, and a few dates on this score are significant—South Carolina (1790), Pennsylvania (1790), Georgia (1798), New York (1806), Connecticut (1818), Virginia (1830), Delaware (1831), Massachusetts (1833), North Carolina (1835) and New Jersey (1844).[13]

The question might now be raised, "Does not the Constitution of the land confer the right of suffrage upon a citizen?" In *The United States* vs. *Anthony*, (1873), the Supreme Court held that no such privilege is bestowed upon a citizen, either by the Constitution itself or by any of the amendments, notably the fourteenth and fifteenth. The fifteenth amendment only guarantees to a citizen protection from discrimination on account of race or color.[14]

If one searches for the cause of the breakdown of these barriers, what does he find? He finds that the clamor of the industrial classes, who possessed no property, had weakened the position of the landed gentry; and that the conservative Easterners were forced to give way to the progressive Westerners. "Westward ho!" was the cry in the early part of the nineteenth century. Settlers were needed in those parts with the result that all restrictions were shoved aside. The rugged pioneer leaders did not ask whether or not a man had blue blood in his veins or

13 GUILDAY, PETER, *Life and Times of John Carroll*, Vol. I, p. 115, N. Y., 1922.
14 Federal Cases 14459; Cited by PORTER, *op. cit.*, p. 194.

had ancestors on the *Mayflower*. The liquor he drank, the politics he followed, or the religion he professed were immaterial to them. The questions they put were—"What kind of backbone have you got? Can you do the work and stick it out?" For out there in "God's open spaces" it was man to man and the devil take the loser. Turner[15] maintains that the West shaped the growth and the development of American democracy; while Paxson[15a] declares that "the American character seems to have been born" in the frontier region.

It was a sorry day for the aristocratic East, when it had to bend the knee to the proletariat West. The masses had triumphed; suffrage restrictions were doomed.

VI.

Catholics, however, were still looked upon with suspicion and political plums were placed beyond their reach. President Jackson brought forth a storm of protest when he dared to appoint a Catholic, Roger Brooke Taney, first as Attorney-General, then Secretary of the Treasury and finally Chief Justice of the United States Supreme Court. The bigots were positive now that the way was made clear with a Catholic presiding on the bench of the highest judicial body in the land, that the country was going to be passed over to the Pope. Blaine[16] who was the Republican candidate for the Presidency in 1884, said of Taney—"Chief Justice Taney . . . was not only a man of great attainments, but was singularly pure and upright in his life and conversation." And Senator Daniel Webster, who had been a vigorous political opponent of Taney, said of him at a Pilgrims' Day Dinner in 1850—

> We are Protestants, generally speaking, but you all know there presides at the head of the Supreme Judicature of the United States, a Roman Catholic, and no man, I suppose, through the whole United States imagines that the Judicature of the country is less safe, that the administration of public justice is less respectable or less secure because the Chief-Justice of the United States has been and is a firm adherent of that religion.[17]

15 TURNER, F. J., *The Frontier in American History*, p. 266, N. Y., 1921.

15a PAXSON, F. L., *History of American Frontier*, p. 7, N. Y., 1924.

16 *Twenty Years of Congress*, Vol. I, p. 134, Cited in *The Catholic World*, Vol. LXVII (1898), p. 403.

17 "Chief-Justice Taney and the Maryland Catholics," by J. FAIRFAX MCLAUGHLIN in *The Catholic World*, Vol. LXVII (1898), pp. 403-404.

When William Gaston, a Catholic took his seat on the Supreme Court Bench of the State of North Carolina in 1835, he was immediately bombarded by the assaults of an anti-Catholic Presbyterian clergyman of Baltimore, the Rev. Dr. Robert J. Breckinridge, in the Baltimore *Literary and Religious Magazine*—

> Now, Mr. Gaston is at this moment, a Judge of the Court of Appeals of North Carolina. Before he took his seat on the bench, he took an oath, in some usual form, to support the constitution of that state. Part of that constitution asserts and assumes the truth of the Protestant religion. But, Mr. Gaston is an avowed, and most decided Papist! . . . The public are fully aware that for three hundred years, all real Protestants have believed and taught that the essential doctrines of the Papal church were incompatible with civil and religious liberty.[18]

At a Convention held at Raleigh on July 1, 1835, Gaston made such a stirring speech on Religious Toleration, pleading for the abrogation of the clause in the Constitution which favored the Protestant religion, that one non-Catholic writer was led to remark that—"His speech on that occasion was one of the rarest and most admirable specimens of eloquence which ancient or modern times have produced."[19]

Gaston's impassioned plea won the day, for an amendment abolishing all hindrances to the enjoyment of religious liberty by Catholics in North Carolina, was passed by a vote of 74 to 33.

Again in 1853, the ignoramuses, stirred up by the action of President Pierce when he included in his Cabinet, a Catholic, James Campbell, of Philadelphia, as Postmaster - General, swarmed forth like bees from their hives, buzzing with fury. The drone they made attracted so much attention that protests poured in upon Pierce warning him of the dire disasters certain to follow upon such an act. The Nativist and Know-Nothing elements declared that this move was the beginning of a well-laid plot whereby the Pope would be given access to our mails and thus be able to examine the Government's correspondence. And this despite the fact that James Campbell was a man re-

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18 BRECKENRIDGE, R. J., *Papism in the XIX Century in the United States*, p. 82, Baltimore, 1841.

19 MURRAY, J. O. K., *Catholic Pioneers of America*, p. 420, Philadelphia, 1882.

nowned for the integrity and uprightness of his character in his native state of Pennsylvania. There he had proved himself a loyal and faithful public servant as Judge of the Common Pleas Court in Philadelphia, Attorney-General of the State, as well as a trustee in various city corporations such as the Board of City Trusts, the Board of Education, the Jefferson Medical School, and Girard College.

His conduct as head of the Post Office Department soon set at nought all groundless rumors. The efficiency of his administration improved the service and he dignified the appearance of the letter carriers by equipping them with fitting uniforms.

The affection existing between President Pierce and his colleague was shown years later when both had retired from the public gaze. Writing to him from Portsmouth, N. H., upon the death of his wife, ex-President Pierce said—

> The Boston newspapers of last evening announced the sad intelligence of Mrs. Campbell's death. That the announcement found us sorrowing and sympathetic friends you need no assurance.
>
> . . . . . .
>
> I certainly desire to be with you in this hour of your great trial but I cannot leave Mrs. Pierce, whose health is extremely delicate. Mrs. Pierce unites with me in assurances of warm regard and sympathy for you all. I beg you to write soon to your ever sincere and faithful friend.[20]

One eulogist of James Campbell says—

> the record of public service . . . is the best memorial he can have. He was a high-minded man and Catholics have a right to take pride in the record he made as a member of the Cabinet of a now forgotten President of the United States.[21]

VII.

Anti-Catholic animus was by no means confined within the narrow limits of state enactments. Between the years 1826-1876 the fury of "No-Popery" fanned by the frenzied spirits of anti-Catholic forces spread like wildfire throughout different sections of the land. Protestant Americans must be filled with a sense

20 "The First Catholic Postmaster General," by GEORGE BARTON, in *America*, Vol. XXXVIII (Nov. 26, 1927), p. 158.

21 BARTON, GEORGE, *ut supra*.

of shame when they reflect upon these darkened days of American history. For the impetus and driving force was contributed in a large measure by Protestant clergymen and Protestant organizations. At the same time Catholics cannot be unmindful of the nefarious role played in these scenes by apostate priests like Smith, Hogan, Gavazzi.[22]

Coals of lies were heaped upon the scorching flames which kept the temper of the mobs at fever heat by non-Catholic publications such as *The Protestant* whose patronage list included some seventy-two ministers, notably among whom were two Dutch Reformed parsons of New York City, the Rev. W. C. Brownlee, and the Rev. L. R. Reese.[23] In Boston, the most celebrated Congregational minister of the time, the Rev. Lyman Beecher, assailed and abused the Catholic Church and its members from his pulpit; while in Philadelphia the Rev. John Breckenridge, a Presbyterian clergyman, added his share to the anti-Catholic crusade. Once more those insulting names—*Romanists, Papists, Popish, Beasts, Babylon, Mother of Harlots*—were brought forth and hurled at Catholics.[24]

With such influence behind it, red terror became rampant. The torch was set to a Carmelite convent in Baltimore, and to an Ursuline academy near Boston, from which the inmates, both sisters and students, were forced to flee amid the hoots and missiles of the rioters.[25] Churches in New York and Philadelphia were burned. In Boston, New York, Paterson, Philadelphia, and Louisville, the Irish sections were attacked and desolated. In Maine, the Rev. John Bapst, S.J., was tarred and feathered for no other reason than that he was a priest.[26] In Massachusetts a committee, opprobriously styled "The Smelling Committee" was appointed to pry into the private sanctuary of academies, convents, and theological seminaries. Scurrilous

22 "The Catholic Church in the United States," by PETER GUILDAY, Reprinted from *Thought* (June, 1926).

23 "Constitutional Freedom of Religion and the Revivals of Religious Intolerance," by PETER CONDON in the *United States Catholic Hist. Records Studies*, Vol. III (1903), pp. 92-114.

24 GUILDAY, PETER, *Life and Times of John England*, Vol. II, p. 459, N. Y., 1927.

25 "Letter of Sister St. Augustine Relative to 'The Burning of the Convent'," by PETER CONDON, *U. S. Cath. Hist. Records and Studies*, Vol. IV (1906), pp. 218-231.

26 "Anti-Catholic Prejudice," by JAMES O'CONNOR, *Amer. Cath. Quarterly Review*, Vol. I (1876), p. 13.

literature flooded the market, and eminent men like Dwight, President of Yale, and Morse, the inventor, shamelessly associated themselves with the financing of diatribes and "ex-nuns."

VIII.

Numbers of Protestants in America simply assume that this is a Protestant country and that therefore Protestant ascendency must be maintained.[27] At various times throughout the history of this country, organizations have been formed by them to secure that dominance. In addition to deeds of violence, these organizations have manifested an interest in political matters. In 1830, there was the American Protestant Association; in 1837, the Native-Americans; from 1844 to 1857, the Know-Nothings; the American Protective Association from 1887 to 1900; and, as recently as 1921, the Ku Klux Klan. Behind these movements there have ever laid those two perennial bogeys, which the non-Catholic American mind has never fully gotten rid of—fear of "Romanism" and fear of the immigrant.

The American Protestant Association sprang into existence largely through the instrumentality of the Rev. W. C. Brownlee, a Dutch Reformed minister of New York City. It proposed to encompass the country by means of branches established in each city so that the schemes of "Popery" might be caught and exposed and the principles of the Reformation maintained.[28] Its organ was a vile sheet *The Protestant*. At an early age the Association passed into obloquy.

The Native-Americans were decidedly political in tone since they sought to accomplish their measures by legislation. Their antipathy was directed against the immigrant, and in particular against the Irish immigrant.

Various reasons for this hatred are assigned. One author thinks that it was due to the fact that the Nativist element ridiculed the religion, country, and appearance of the Irish, thus causing them to live apart from the rest of American society and to appear clannish.[29]

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27 "The Catholic Question in the United States," by PETER GUILDAY, in *The Catholic News*, Art. X, (March 10, 1928), p. 5.

28 GUILDAY, PETER, *Life and Times of John England*, Vol. II, p. 221, N. Y., 1927.

29 DESMOND, H. J., *The Know-Nothing Party*, Washington, D. C., 1905, p. 9.

Another author[30] attributes it to the fact that as the Irish had a lower standard of living, they, by their cheaper labor, were cutting the native-born out of profitable employment. Moreover, as most of the Irish were Catholics, the rapid increase of churches, convents, and parochial schools filled the Nativists with alarm.

Their Constitution adopted in 1837 read:

> While . . . we invite the stranger . . . to come and share with us the blessings of our native land . . . we deny his right to have a voice in our legislative halls, his eligibility to office under any circumstances. . . .[31]

The naturalization law of 1795 which conferred citizenship upon immigrants after five years residence so incensed them that among other things the Native-Americans demanded its repeal in their Declaration of Principles:

> We maintain that the naturalization laws should be so altered as to require of all foreigners, who may hereafter arrive in this country, a residence of twenty-one years, before granting them the privilege of the elective franchise.
>
> We hold that native Americans, only, should be appointed to office, to legislate, administer, or execute the laws of their own country.[32]

Brownson[33] called their prejudices "contemptible" and speaks of them thus:

> The Native-American Party is not a party against admitting foreigners to the rights of citizenship, but simply against admitting a certain class of foreigners. It does not oppose Protestant Germans, Protestant Englishmen, Protestant Scotchmen, nor even Protestant Irishmen. It is really opposed only to *Catholic* foreigners. The party is truly an anti-Catholic party, and is opposed chiefly to the Irish, because a majority of the emigrants to this country are probably from Ireland, and the greater part of these are Catholics.

30 SCHLESINGER, A. M., *Political and Social History of the U. S.*, p. 133, N. Y., 1925.

31 LEE, J. H., *The Origin and Progress of the American Party in Politics*, p. 15, Phil., 1855.

32 LEE, J. H., *op. cit.*, p. 21.

33 BROWNSON, ORESTES, *Essays and Reviews*, p. 428, N. Y., 1890.

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32 LEE, J. H., *op. cit.*, p. 21.

33 BROWNSON, ORESTES, *Essays and Reviews*, p. 428, N. Y., 1890.

The *splurge* of the party in a national convention at Philadelphia in 1845, proved too much of a strain with the result that it suffered a breakdown. Subsequently, it revived under the name of Know-Nothing.

The Know-Nothing Party was not formally organized until 1852. It was so called because whenever one of its members was asked any question, he replied, "I don't know."[34] The party was a sort of potpourri, since it comprised many nativist factions. Its principles, modelled after those of the Native-Americans, were best stated in the platform drawn up in 1856 at Philadelphia when the party nominated Millard Fillmore as its candidate for the Presidency:

> *Americans must rule America;* and to this end, *native*-born citizens should be selected for all state, federal, or municipal offices of government employment, in preference to naturalized citizens.
>
> No person should be selected for political station (whether of native or foreign birth), who recognizes any alliance or obligation of any description to any foreign prince, potentate or power, . . .
>
> A change in the laws of naturalization, making a continued residence of twenty-one years, . . . an indispensable requisite for citizenship . . .[35]

One of the "Americans" in the Party writes:

> It is a great privilege and as much as the most ambitious should expect, if they are permitted to become naturalized citizens after a suitable residence amongst us.[36]

The dispute over the slavery issue together with the condemnation of the lawlessness of its members by the more decent type of American citizens, doomed the Know-Nothing Party to an early grave. After 1856 it was a negligible quantity.[37]

IX.

By 1887 when the next anti-Catholic organization—the American Protective Association (the A. P. A.'s)—appeared America had passed through a series of spasms. Internal dissensions and reconstructive measures had to be settled before

34 BASSETT, J. S., *A Short History of the United States*, p. 493, N. Y., 1918.
35 PORTER, K. H., *National Party Platforms*, pp. 38-40, N. Y., 1924.
36 ANON., *The Sons of the Sires*, p. 44, Phil., 1855.
37 DESMOND, H. J., *op. cit.*, p. 2.

she could enter upon an era of prosperity; an era in which the American genius for organization displayed itself in all sorts of mergers and combines. The day of big-business dawned and it promised everlasting sunshine. Catholics were not slow to take advantage of the opportunities afforded them during this era; especially in the West where the migration had opened to them vast fields of endeavor. No longer could they be regarded as "illiterate hoodlums — ignorant, poverty-stricken, famished, unwashed—."[38] For now they were to be counted among the respectable and educated members of the community. The pendulum had swung the other way, and in that swinging it carried Catholics in to their proper places in American society as doctors, lawyers, editors, teachers, engineers, contractors, builders, merchants, manufacturers, traders, railroad magnates, and directors of corporations.

Taking its origin in a small town in Iowa, The American Protective Association soon spread throughout its own state and the adjoining states of Nebraska, Kansas, Missouri, Illinois, and Ohio, and this region became known as the "A. P. A. belt."[39] Its membership was rated in the millions, but "Prof." Walter Sims, a lecturer for the A. P. A., claimed it did not exceed 120,000.[40]

Though the Association often threatened to form a political party, yet nothing ever came of its boast since it thoroughly realized that if it ventured beyond the limits of the Republican Party, the shore would be strewn with its wreckage. In the presidential election year of 1888, the A. P. A. was bold enough to draw up a platform. Some of its planks were:

> Resolved: That the present naturalization laws of the of the United States should be unconditionally repealed.
> Resolved: That the soil of America should belong to Americans.
> Resolved: That we favor educating the boys and girls of American citizens as mechanics and artisans, thus fitting them for the places now filled by foreigners, who supply the greater part of our skilled labor and thereby almost entirely control the great industries of our country, save, perhaps, that of agriculture alone.

38 PORTER, K. H., *A History of the Suffrage in the U. S.*, pp. 114-119, Chicago, 1918.
39 DESMOND, H. J., *The A. P. A. Movement*, p. 63, Washington, D. C., 1912.
40 DESMOND, H. J., *op. cit.*, pp. 70-71.

> Resolved: That universal education is a necessity of our Government, and that our American free school system should be preserved and maintained as the safeguard of American liberty.
> Resolved: That no language except the English be taught in the common schools supported at the public expense.
> . . . . . .
> Resolved: That no flag should float on any public buildings . . . except . . . the flag of the Stars and Stripes.
> . . . . . .
> Resolved: We maintain that all church property should be subject to taxation.[41]

It supported the candidacy of Harrison in 1892 but went down to defeat with him in the triumph of Cleveland. Soon after the disturbance it raised in the presidential election of 1896, the American Protective Association sank from sight.

Desmond says,

> Against the shock of a vigorous attack, all along the line, it ceased to grow and began to decline. Free discussion was uncongenial to it. It fell a prey to unprincipled politicians. The mine that it worked was in all cases, local politics, and its aims arose and sank in petty political jobs. . . . Its chance for a larger scope was the presidential campaign of 1896, but the small and ridiculous figure it cut in the campaign was an eye-opener even to the most stupid politicians.[42]

X.

There was a time when Irish, and Catholic, and Democrat were practically synonymous. The reason was that the anti-Catholic attitude of the progenitors of the Republican Party—the Federalists, the National-Republicans, and the Whigs—had driven the Irish Catholics into the folds of the Democratic Party. But at present, this is not true. Catholics—who by no means are to be restricted to the Irish people—have found the principles of both parties appealing; and experience has taught that when it came to the religious question, one party was about as reliable as the other. Of recent years, the part played by the anti-

41 PORTER, K. H., *National Party Platforms*, pp. 137-140, N. Y., 1924.
42 DESMOND, H. J., *op. cit.*, pp. 73-74.

Catholic forces in the Democratic Party has been responsible for a large exodus of Catholics from its ranks. The acts of 1921 and 1924 disgusted them. For those years witnessed the latest revival of "One-Hundred-Per-Cent-White-Protestant-Americanism." Despite the new gowns and hoods, one readily recognized the old cast composed of Nativists, Know-Nothings, and A. P. A.'s.

The plot reads like a melodrama of the old school and centers around the ancient conspiracy of the Pope, abetted by the Jesuits, to seize control of the United States. In reference to the Jesuits, which name to some non-Catholic minds is usually to be identified with intrigue, equivocation, and stealth, Chesterton has this to say—

> The last lingering shadow of the Jesuit, gliding behind curtains and concealing himself in cupboards, faded from my young life about the time when I first caught a distant glimpse of the late Father Bernard Vaughan. He was the only Jesuit I ever knew in those days; and as you could generally hear him half a mile away, he seemed to be ill-selected for the duties of a curtain-glider. It has always struck me as curious that this Jesuit raised a storm by refusing to be Jesuitical (in the journalese sense I mean), by refusing to substitute smooth equivocation and verbal evasion for a brute fact. Because he talked about "killing Germans" when Germans had to be killed, all our shifty and shamefaced morality was shocked at him. And none of those protesting Protestants took thought for a moment to realize that they were showing all the shuffling insincerity that they attributed to the Jesuits, and the Jesuit was showing all the plain candour that they claimed for the Protestant.[43]

Through the "watchfulness and patriotism" of a band of citizens in this country the Pope is thwarted in his efforts. The setting is Thanksgiving night, 1915, upon a mountain top in Atlanta, Georgia, where at the midnight hour thirty-four men under the leadership of a preacher, William Simmons, brave the *surging blasts of wild wintry winds* to pledge their loyalty "under a blazing, fiery torch," to the Invisible Empire, the Knights of the Ku Klux Klan.[44]

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43 CHESTERTON, G. K., *The Catholic Church and Conversion*, pp. 38-39, N. Y., 1926.

44 MECKLIN, J. M., *The Ku Klux Klan*, pp. 4-5, N. Y., 1924.

One critic says of the performance that it is "the most curious combination of comedy and tragedy, . . . of buffoonery and villainy," ever presented in America.[45] Another states that it is an infringement upon the intelligence of American audiences and "seems to indicate that the mass of Americans are still medieval in their thinking."[46] While a third holds that this group of "Klanners" must not be confounded with the original troupe of "Klanners."[47]

During the following four years, the World War occupied the limelight and everything else faded into the background. With the restoration of peace, men's minds once again sought their old haunts—superstition, hatred, prejudice—with the result that the Klan revived in 1921. Its performances in this year were attended with such disorders—murders, whippings, tar and feather parties—that they were subjected to review by a Congressional Committee.

Through the ingenuity of the company's publicity agents, Edward Clarke and Mrs. Elizabeth Tyler, and through the aid of some free advertisement furnished by the *New York World*, the Klan made a circuit of small towns and rural districts where it proved not only popular but a financial success. The receipts for the fiscal year 1924 were about $2,000,000.[48]

Wherever the Klan appeared, rancor and bitterness, were left behind. Anti-Catholic, anti-Semitic, anti-Alien, anti-Negro were the hatreds it voiced.

In 1924, the Klan came upon the national stage at the Democratic Convention, where it sought to push into the wings, a Catholic, upon whom all eyes were focused, Governor Alfred E. Smith of New York. In a measure it accomplished this end, as it threw fear into the ranks of his supporters and split his party into quarrelsome factions.

XI.

Reflection upon the appearance of anti-Catholic organizations at regular intervals in America, leads one to believe that there

45 "The Ku Klux Klan," by JAMES M. GILLIS, C.S.P., in *The Catholic World*, Vol. CXVI (Jan. 1923), p. 433.

46 MECKLIN, J. M., *op. cit.*, p. 51.

47 SCHLESINGER, A.M., *Political and Social History of the U. S.*, p. 561, N. Y., 1925.

48 *The New York World*, June 17, 1924, Cited in *The Catholic World*, Vol. CXIX, (July, 1924), p. 556.

is at all times an undercurrent of bigotry flowing through American life.

Though in the main anti-Catholic organizations have been restricted to sectional outbursts of prejudice, yet at times their agitation together with a religious issue in some presidential elections, has given to this politico-religious prejudice, a semblance of national proportions.

When Washington was unanimously elected the first President of the United States in 1789, there was nothing of party alignment or party organization which we of today commonly associate with a national election. This along with the suffrage restrictions probably accounted for the small percentage of people—3½% or 125,000 of the total free population—who voted.[49] But shortly after Washington became Chief Executive his followers formed themselves into two contrary political parties, the Federalists, and the anti-Federalists. Alexander Hamilton headed the Federalists. He favored government by a select few who were well-born and wealthy. His foreign policy was pro-English, anti-Irish and anti-French. The opposite of him was Thomas Jefferson, who believed that the government should be in the hands of an organized majority—the people. He distrusted an oligarchy and centralized power; was pro-French, but tolerant towards other nationalities.

A religious issue in a presidential campaign first appeared in the election of 1797. Jefferson was the candidate of the Democratic-Republicans. Due to the fact that he had never affiliated himself with any religious sect, he was regarded in certain quarters — especially in New England — as a "free-thinker" and an unbeliever. An appeal to the voters was sent out by some of his political opponents begging them to consider the matter carefully and elect a "*Christian* President."[50] Though the religious issue played a minor role in this election, nevertheless it may have exerted an influence on the result.

Jefferson lost by a slim margin of three electoral votes to John Adams.

The new President was a product of Puritan Massachusetts. This background coupled with his Federalist associations combined to give him a narrow political and religious attitude.

49 ROBINSON, E. E., *op. cit.*, p. 50, N. Y., 1924.
50 STANWOOD, EDWARD, *A History of the Presidency*, p. 46, N. Y., 1898.

Adams could not stand criticism, particularly if it came from those of foreign birth. To put an end to this criticism and all annoyance from "foreigners" he caused Congress in 1798 to pass four severe measures.

The first was the Naturalization Act which would make naturalization in this country dependent upon fourteen years residence, with the proviso that an alien must have filed his application five years previous to the right itself becoming operative. Thus the actual number of years before an alien could become a citizen would be nineteen.

The second and third measures were known as the Alien Laws. To all intents and purposes they gave the President arbitrary powers over aliens. In time of peace, he could, *ad libitum,* either expel them from the country or imprison them. The same held true for a period of war.

The fourth, the Sedition Act, dealt with American citizens who were pro-French in sympathy or critics of the administration. By its provisions the act made a mockery of the freedom of speech, of the press, and the right of assemblage guaranteed by the first amendment to the Constitution.

From this is it not evident that an "aristocrat," a man of "culture and breeding" can possess a circumscribed intellect?[51]

Adams ran for reelection in 1800 against Jefferson. It was a struggle between two forces, one represented "a selfish upper class, dominated by capitalists," while the other "represented the mass of the people." As neither candidate obtained the necessary majority, the election had to be decided by the House of Representatives. Their verdict was in favor of Jefferson.[52]

In a message to Congress in December, 1801, Jefferson recommended a revisal of the naturalization laws saying that, "Considering the ordinary chances of human life, a denial of citizenship under a residence of fourteen years is a denial to a great proportion of those who ask for it. . . ." The House after considerable debate passed a resolution which becoming a law on April 14, 1802, reverted to the Act of 1795 by making the period of residence for citizenship five years.[53]

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51 MINNIGERODE, MEADE, *Presidential Years* (1787-1860), p. 42, N. Y., 1928.
52 BASSETT, J. S., *A Short History of the United States,* p. 288, N. Y., 1918.
53 SCHNEIDER, JOSEPH, *Naturalization in the United States,* p. 6, Dissertation: Catholic University of America, Washington, D. C., 1914.

In the election of 1804, Jefferson was reelected without any difficulty over his opponent Clinton.

No religious issue appeared in the election of 1808, but later on in Madison's second term there met at Hartford, Connecticut, in 1814, a "traitorous" Convention which among other things demanded that naturalized citizens be prohibited from holding civil office. This proposal was afterwards capitalized by the Native-Americans.

Following Madison there came Monroe, John Quincy Adams, Jackson, and Van Buren. In the various campaigns for these elections, no religious issue arose, but the period from 1817 to 1840 was not without religious strife. It was within these years that such anti-Catholic organizations as the American Protestant Association and the Native-American Party came into being.

John Quincy Adams inherited a religious "distemper" from his father. While Secretary of State under Monroe in 1821, he made a violent attack on the Catholic Church. As President, like his Federalist associates, he sought to center the government in the hands of a few educated men and championed the doctrine which was later expressed in the popular slogan, "*Americans must rule America.*" Shea says of him that he was a bitter denunciator of the Catholic Church, its clergy, religious and laity, and that, "the anti-Catholic bias of Mr. Adams was one of the elements which contributed to his defeat" by Jackson in 1828.[54]

Jackson as President brought in with him the spirit of equality of opportunity, and offered, to those who were capable, a share in the control of the government machinery. He evoked considerable protest in 1831 when he appointed a Catholic, Roger Brooke Taney of Maryland, as Attorney-General of the United States. Being the forceful courageous character that he was, Jackson paid no attention to this bigoted outburst and in 1835 nominated Taney for the office of Chief Justice of the United States. The necessary confirmation was obtained one year later.

When Van Buren ran against Harrison and the other Whig candidates in 1836, a religious issue was not raised, but strange to relate in the election of 1840 when President Van Buren was again opposed by Harrison, he was assailed as being sympathetic

54 SHEA, J. G., *History of the Catholic Church in the U. S.*, p. 104, N. Y., 1890.

towards "Papists." Someone unearthed the fact that, as Secretary of State in 1830, he had written a courteous letter to the Pope. This was enough to condemn him in the eyes of the "Saints."[55]

In the campaign of 1840, John Forsyth, Van Buren's Secretary of State, went "on the stump" for his chief. In an address in Georgia in August of that year, he injected a further religious issue into the forthcoming election by linking Harrison's anti-slavery platform and abolitionism with the Catholic Church. To support his contention he offered as evidence the Apostolic Brief of Gregory XVI on the Slave Trade. He further insisted that the Pope's letter was issued at the instigation of British influence, since that country desired the extermination of slavery throughout her possessions. Forsyth hoped by this to draw away any Southern votes which might go for Harrison. What he really accomplished was to increase the hatred of the Southerners for Catholics. The Nativist element among them was quick to take up the cry against Papal interference.

Dr. John England, Bishop, of Charleston, South Carolina, the leading Catholic prelate of his day, took it upon himself to explain the Church's position in this matter.[56] In a series of letters to Forsyth he made it plain that the Pope had not been urged on by British influence; that he was not allied to the abolition movement in this country; that he favored no candidate in the coming elections; and that he had never meant to meddle in the internal affairs of this country. He showed cogently that Forsyth, like a good many ill-informed Protestants, had jumped at conclusions without ever looking where he was going to land. Forsyth had confused slavery with the slave trade.

The difference between slavery and the slave trade is that the former belongs to the social system, whereas the latter is a questionable occupation trafficking in human souls for profit. Dr. England showed that Gregory XVI in his brief dealt only with the slave trade, which he condemned as pernicious, and that he in no way meddled with the slavery question as then existing in this country.

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55 GUILDAY, PETER, *Life and Times of John England*, Vol. II, p. 471, N. Y., 1927.

56 MESSMER, S. G., *The Works of the Rt. Rev. John England*, Vol. V, pp. 183-311, Cleveland, 1908.

With the exception of the antagonism he engendered, Forsyth's efforts bore little fruit, as his candidate failed of reelection.

One month after Harrison became President, he died of pneumonia and was succeeded by Tyler.

XII.

From 1844 to 1856, the Native-Americans and Know-Nothings injected the religious issue into nearly every presidential election.

In the election of 1844 the leading candidates were Polk and Clay. Clay, as the representative of the Whigs, stood for all the hostility of the old Federalists against aliens and naturalized citizens. Furthermore, he had the support of the Native-Americans. Polk, as the Democratic candidate, espoused the cause of the naturalized citizens. In addition to this conflict the cry of "No-Popery" was taken up, when the Catholics of Philadelphia protested against the *enforced* use of the Bible in the public schools.

When the votes were counted and Polk was elected, it was felt that Clay had been beaten by the combined loss of the vote of the Catholics who had deserted the Whig Party on account of Clay's "Native-American" alliance, and the vote of the naturalized citizens.

In the election of 1848, Taylor, the hero of the War with Mexico, was endorsed by the Native-Americans. As the Democrats were divided over their two candidates, Van Buren and Cass, he easily triumphed. In July of 1850, Taylor died and Vice-President Fillmore, a Nativist, became President.

Pierce in the election of 1852 defeated the Whig candidate, Scott, by a substantial majority. This election marked the decline and demise of the Whig Party. From its remains, sprang the Republican Party in 1856. The Know-Nothings attempted to gain the ascendency during the lacuna between these two parties,[57] but their disreputable reputation brought about their own doom in the next presidential election.

As soon as he assumed office, President Pierce was made the target for a Know-Nothing attack because he had included in his Cabinet as Postmaster-General, a Catholic, James Campbell of Philadelphia.

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57 DESMOND, H. J., *The Know-Nothing Party*, p. 57, Washington, D. C., 1905.

While the chief issue in the campaign of 1856 was "bleeding Kansas," the Know-Nothing element succeeded in enlivening matters still further by accusing John C. Frémont, the first candidate of the newly organized Republican Party, of being a "bloody Catholic." Frémont himself apparently ignored the charge, and Horace Greeley, editor of the *New York Tribune*, declared that whether or no Frémont was a Catholic, it made little difference as far as his vote-getting capacity was concerned. However, the fact that Frémont's biographer, John Bigelow, in the *Pathfinder*, a book written for campaign purposes, should go out of his way to prove that Frémont was a communicant in the Protestant Episcopal Church, seems to warrant the assumption that the religious issue was a factor in this election.

The platforms of both the Democratic Party and the newly organized Republican Party carried a condemnation of the Know-Nothings.[58]

Frémont and Fillmore, who headed the Know-Nothing ticket, lost to Buchanan, the Democrat.

From 1860 to 1872, men's minds were chiefly concerned with a civil war and reconstructive measures; hence they were not afforded much time in which to give vent to their religious antipathies. However, the little time they did have was put to "good" use in this regard.

Just prior to Lincoln's term of office, an attempt was made to show that the Catholic Church was allied with Abolitionism. No evidence could be found to substantiate such a claim. After Lincoln's assassination in 1865, the headstrong Stanton, his Secretary of War, tried to trump up a case proving that Lincoln had been the victim of a "Catholic Plot."[58a] For the moment anti-Catholic sentiment was intense, but when Stanton failed of his project because of lack of evidence, religious feeling cooled.

Johnson completed Lincoln's unexpired term. The fight he had to wage against powerful political opposition and the movement to impeach him, made his incumbency an uneasy one.

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58 PORTER, K. H., *National Party Platforms*, pp. 42, 47 and 48. N. Y., 1924.

58a In this connection the Federal Government hanged Mrs. Mary E. Surratt, a Catholic. Her innocence in the matter is brought out in an article by REV. J. A. WALKER, in the *U. S. Catholic Historical Magazine*, Vol. III (1891), pp. 353-361.

XIII.

Grant, the conqueror of Lee, was President from 1869 to 1877. During his second term in 1875 at Des Moines, Iowa, he addressed the "Army of the Tennessee," a military organization composed of veterans of the Civil War. His speech on this occasion was plain and direct, but some of his remarks were interpreted as anti-Catholic.

The first Catholic, as far as can be ascertained, to have been proposed for the highest office in our national government was Charles O'Conor of New York City. O'Conor was one of the outstanding jurists of his time. His conviction of Boss Tweed; and his going bail, together with Horace Greeley, for Jefferson Davis, made him a public figure. His record is spoken of as, "one unrivalled in our annals for length of service and brilliancy of professional achievement."[59]

In the year 1872 Greeley and Brown were the candidates of the Liberal-Republican and Democratic parties. But to many adherents of the latter party, this combination was distasteful, so they bolted and held an out-and-out Democratic Convention in September at Louisville, Kentucky. The result of their balloting was the selection of Charles O'Conor for President and John Quincy Adams I for Vice-President. O'Conor declined the nomination, while Adams refused to run without him. A compromise was reached when James Lyon of Virginia was decided upon, but he also declined the nomination. To break the deadlock, the delegates decided to stand by their original choice "whether the candidates would accept or decline." The election returns revealed a total vote of 29,408 for O'Conor,[60] scattered throughout some twenty states.

Hayes followed Grant and for a few years the religious issue was lost sight of. However, it reappeared in the next election.

New York was the pivotal state in the campaign of 1880. The Republican leaders centered their labors upon winning it for their candidate, Garfield. They raised the cry that the common schools were in danger and could only be preserved by keeping the Republican Party in power. Together with the assistance of the anti-Catholic *New York Herald*, they took advantage of

59 *Addresses of Frederick R. Coudert*, p. 199, N. Y., 1905.
60 HARPER'S *Encyclopedia of U. S.*, Vol. VII, N. Y., 1912.

the disunion prevailing in the ranks of the state Democratic organization to push the candidacies of two Catholics as Independent Democrats, John Kelly for Governor, and William R. Grace for Mayor.

Immediately an alarm was sounded from Protestant pulpits warning of Papal aggrandizement. The thought did not seem to occur to anyone to stop to ascertain just how much power the Governor or the Mayor had over the schools.

Election day came, and though New York City put her first Catholic Mayor, W. R. Grace, in office, yet the state, due to the defection of the anti-Catholic element in the Democratic Party, went Republican, giving Garfield a majority of 20,000.

When Garfield was shot in 1881, by Guiteau, an insane disappointed office seeker, the absurd cry was again raised that another President had become the victim of the Catholics. Vice-President Arthur filled out the term.

XIV.

A tactless remark can oftentimes cause more trouble than a slap in the face. This proved the case in the campaign of 1884. James G. Blaine of Maine, a man of extraordinary ability and of "magnetic personality," was the Republican candidate for the Presidency. He had an uphill road to climb as the "reformers" in his party opposed him. To further complicate matters, the religious issue was thrust in; the accusation being made that Blaine was a Catholic in theory, if not in practice, since his mother and many of his relations were of that Faith. Blaine was managing to survive this attack, until a delegation of Protestant ministers, seeking to counteract the charge by pledging their faith in his loyalty to his country, called upon him at the old Fifth Avenue Hotel in New York City. This harmless little affair was progressing well enough until the Rev. Samuel D. Burchard delivered his speech. Warming up to his subject, he made the unfortunate mistake of referring to the Democratic Party as one of "Rum, Romanism, and Rebellion." From that moment Blaine's star commenced to wane. Later on he attempted to explain things by saying that he was so busy cogitating a reply that he had not noticed the remarks which cast disparagement upon the religion of his saintly mother. But the wound had been inflicted and no verbal balm could heal it. New

York was lost by about 1,000 votes[61] and with it the ambition of Blaine's life.

Commentators are at odds as to the actual cause of Blaine's defeat. Some have attributed it to the blot left on his character by the "Mulligan Letters—" letters dealing with the shady stock transactions Blaine had had with the Union Pacific and other railroads. Others consider that it was due to the enmity of Conkling, who wielded the Republican stick in New York State, while the *Nation* claimed that Blaine had no one to blame but himself.

Cleveland was the first Democrat to gain the Presidency since Buchanan in 1856. There was little room for any entangling religious issue during his term because "a condition . . . not a theory," confronted him.

Harrison in 1888, spoiled Cleveland's chances for reelection by winning away from him the coveted State of New York. Neither party had forgotten the influence the "Irish" vote wielded in the previous election and hence made strong bids for it. This election marked the first anniversary of the anti-Catholic organization, the American Protective Association. It attempted to display its strength by the declaration of a national platform, but its influence in the campaign was negligible.

Harrison's administration had an anti-Catholic air about it due to the hostile activities of his Indian Commissioner, Morgan, in the Catholic Indian Schools.[62]

XV.

In the election of 1892 Cleveland reversed the situation on his former opponent Harrison who ran for reelection. The A. P. A.'s, owing to the generosity of the Republican campaign fund, actively supported the candidacy of Harrison.[63] One year after he assumed office, Cleveland aroused the ire of the A. P. A.'s by appointing Edward Douglas White of Louisiana, as Associate Justice of the Supreme Court of the United States.

Marcus A. Hanna, Cleveland's millionaire Iron-Master, two months prior to the Republican National Convention of 1896,

61 SCHLESINGER, A. M., *Political and Social History of the United States*, p. 313, N. Y., 1925.
62 DESMOND, H. J., *The A. P. A. Movement*, p. 97, Washington, D. C., 1912.
63 DESMOND, H. J., *op. cit.*, p. 167.

set about securing the presidential candidacy for his "$100,000 nominee," William McKinley. By this action he awoke some opposition which he had probably not counted on. The anti-Catholic A. P. A.'s had somewhat to say concerning his friend McKinley. They accused him, as Governor of Ohio, of favoring "Romanists" for office over A. P. A.'s; that as possible presidential material he had for a manager Richard Kerens of Missouri, a "Romanist," who had attempted to get the Republicans to denounce their organization; that McKinley had displayed his partiality for that faith by becoming a member of two "Romanist" societies—the Ancient Order of Hibernians and the Young Men's Institute.

It was necessary for Hanna to spend considerable time and effort in answering these allegations. He replied that whether or not McKinley had favored Catholics for office, he could not tell, but he was inclined to believe he had not; it was true that he had Kerens as a supporter and he intended keeping him, but the story that McKinley had joined the Ancient Order of Hibernians and the Young Men's Institute was pure fiction.

When the Republican Convention met in June, all opposition to McKinley from the A. P. A.'s had disappeared, "out of prudent regard to the popular drift in his favor."[64]

In the election, McKinley beat his Democratic rival, Bryan, by a substantial margin. The disturbance which the A. P. A.'s had caused, evidently made little impression on him, as he included in his Cabinet, as Attorney-General, a Catholic, Joseph McKenna of California, whom he later raised to a justiceship on the bench of the Supreme Court of the United States.

McKinley triumphed over Bryan a second time in the election of 1900. But the September following his re-inauguration he was shot by a crazed anarchist while attending the Pan-American Exposition at Buffalo. Whereupon, the A. P. A.'s used their efforts—to no avail—to connect this assassination with another "Papist Plot." The death of McKinley brought to the Presidency a man of personality and character, Vice-President Roosevelt.

Upon his completion of the unexpired term, Roosevelt was chosen by his party, the Republican, as its candidate in the

64 DESMOND, H. J., *op. cit.*, pp. 82-83.

election of 1904. In the field competing against Roosevelt for the Presidency, as the candidate of the Popular ticket was Watson of Georgia, a violent vituperative anti-Catholic.

Roosevelt in the election easily out-distanced his rivals.

XVI.

When William Howard Taft was the Republican candidate for the Presidency in 1908, he was made to feel the bitterness of prejudice. A rumor was noised abroad that he was secretly in league with the "Romanists," since his wife and his brother were Catholics. This charge was contrary to the truth, but it persisted in spite of that. Taft's actions as Governor of the Philippines, when he went to Rome to have several *private* interviews with the Pope over the settlement of the Friars' lands in the islands, also came in for a round of criticism.

Such attacks upon an unassuming man like Taft, exasperated his staunch supporter, President Roosevelt; but he sufficiently controlled his wrath until after the election when in characteristic "Teddy" fashion this champion of fair play and tolerance, shot straight from the shoulder. Declaring that such conduct was contrary to the spirit and letter of the Constitution, President Roosevelt maintained that the public has no right to question a candidate concerning his religious profession, for that is a matter to be settled solely between himself and his Maker. All that they can require is that a candidate possess the capability, integrity, and purity of life, necessary for the office which he is seeking. He declared that if intolerance once gets a foothold in America, then democracy is doomed.

Roosevelt further contended that the great majority of American citizens would never permit themselves to be led astray by this narrow spirit of bigotry and he hoped that the day was not far distant when a Catholic would be chosen as the Chief Executive of the land.

Taft had opposing him seven candidates, among whom was Bryan, who was running a third and final race for the Presidency; and Watson, the anti-Catholic. The aid Roosevelt furnished to the cause of Taft contributed in large measure to his winning the election.

In 1910, the appointment by Taft of Edward Douglas White, as Chief Justice of the Supreme Court of the United States, caused comment from the anti-Catholic circles.

Against powerful but divided leaders, like Roosevelt and Taft, Wilson triumphed in the election of 1912. With him the Democratic Party returned to the Capitol of the nation after an absence of sixteen years. Wilson's two administrations must await the mellowing of time before a just judgment can be given them. They were filled with many perplexing problems which constantly engaged the keenness of his intellect. His intervention in Mexico in 1916 brought forth criticism. His "watchful waiting" policy and subsequent participation in the World War did not escape the notice of critical tongues. The Espionage and Sedition Acts, he caused to be passed in 1917 and 1918, were condemned as violating the Constitutional rights of free speech and free press; and they were charged with outdoing "the Alien and Sedition Acts of 1798 in severity."[65] Finally his appeal to the voters for support, his trip to Europe, his "high-handed" dealing in the Peace Treaty, and his unsuccessful tour in this country in favor of the League of Nations came in for rounds of denunciation by the strong Senatorial group opposed to him. As a result of the strain under which he was laboring, Wilson's health gave way and Vice-President Marshall completed the few remaining years of his second term.

XVII.

The election of 1920, proved a "Republican landslide." Harding, an inconspicuous Senator from Ohio, became Chief Executive. In 1922, he appointed Pierce Butler of Minnesota, a Catholic, as Associate Justice of the Supreme Court of the United States, despite the Ku Klux Klan outburst. Some people were inclined to feel that the passage of the Immigration Act of 1921, which Harding signed, and the Johnson Act of 1924, had been spurred on by the influence of anti-Catholic forces now grouped under the name of Ku Klux Klan.

Upon the death of Harding in 1923, Vice-President Coolidge succeeded to the Presidency.

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65 SCHLESINGER, A. M., *Political and Social History of the U. S.*, p. 533, N. Y., 1925.

The hope expressed by President Roosevelt in 1908 might have been realized in the campaign of 1924 had not religious animosity again held sway.

The outstanding Democratic nominee at the time was Governor Alfred E. Smith of New York, a man who from humble beginnings had risen by dint of his own efforts to the highest office in his state. Twice had the citizens of that state elected him as Governor. The reputation he enjoyed with the public and with the press for his intelligence and his integrity was enviable. Despite his qualifications, he was strenuously opposed by the forces of bigotry now organized under the old name of Ku Klux Klan. They brought to the fore the contention that any man who affiliates himself with a Church holding doctrines contrary to the principles of American government, cannot be loyal to this country and therefore should not be entrusted with the greatest possible gift in the palms of the American people—that of the Presidency.

The uproar they aroused at the Democratic National Convention, which was "a contest productive of great bitterness,"[66] so frightened the party's leaders that they passed over Smith's eligibility in silence and determined upon a compromise candidate, Davis. Bryan, Nebraska's great orator, who seemed to spend his declining days, "tilting at theological windmills"[67] pleaded with the party to refrain from putting a provision in the platform condemning the Klan. His gifts of oratory were persuasive, as the most that was done was to administer a mild rebuke—

> The Democratic Party re-affirms its adherence and devotion to those cardinal principles contained in the Constitution—that Congress shall make no laws respecting the establishment of religion,—that no religious test shall ever be required as a qualification to any office or public trust under the United States—. We insist at all times upon obedience, to the orderly processes of law *and deplore and condemn any effort to arouse religious or racial dissension.*[68]

66 SCHLESINGER, A. M., *op. cit.*, p. 563.
67 MECKLIN, J. M., *The Ku Klux Klan*, p. 21, N. Y., 1924.
68 PORTER, K. H., *National Party Platforms*, p. 490, N. Y., 1924.

As a woman delegate, Carroll Miller of Pennsylvania, said at the convention[69] the issue was not an issue between Catholics on the one side, and Protestants on the other, but

> It is an issue between free Americans on the one side and a vicious un-American organization on the other. . . .
> And you say political expediency demands our silence on this subject! Since when has the Democratic Party knelt before the god of political expediency?
> Apparently, the Democratic Party failed to realize that—
> It is not essential to the existence of Catholicity that we should have a Catholic President. It is essential to the existence of America that a man should not be barred from the Presidency because of his religion.[70]

Another Republican victory was scored, when Coolidge had to his credit over Davis and La Follette, his nearest competitors, 54 per cent of the popular vote cast.

CONCLUSION

The fundamental questions underlying the Smith-Marshall controversy of 1927 and the mass of literature which has been written on this controversy since that date is: **Whether or not the "doctrines, teachings, and practices" of the Catholic Church are in harmony with American principles and American institutions; if they are not, then can America safely entrust political power to a man adhering to that Church?**

Governor Smith tried to convince Marshall that there was no conflict between the Catholic Church and American institutions on the one hand; and a Catholic and political office on the other. Apparently his words fell on barren soil, because quite recently in *Current History* for March, 1928, the Rev. Charles Hillman Fountain, a Baptist minister, re-opens the controversy.

The Rev. Mr. Fountain in his article adds nothing to what has already been fully discussed. He has amplified and extended references previously used by Marshall and his use of them appears honest enough. However, his conclusion that—"not only should no Catholic be made President, but no Catholic should be elected to any political office"—[71] does not follow from the numer-

69 "Editorial Comment," *The Catholic World*, Vol. CXIX (Aug. 1924), p. 694.
70 "Editorial Comment," *The Catholic World*, l c., p. 692.
71 "The Pope and the Presidency," *Current History*, Vol. XXVII (March, 1928), p. 778.

ous sources he has cited in proof of it; and leaves him exposed to the charge of being afflicted with the besetting vice of many a non-Catholic—*hatred for "Romanism."*

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SPANISH RULE IN THE NETHERLANDS UNDER PHILIP II

I

THE NETHERLANDS FROM CAESAR TO CHARLES V (57 B. C.—1516 A. D.)

In 57 B. C. Caesar completed the conquest of the territory bounded by the Rhine, the Alps, the Pyrenees and the sea. A great part of this conquered country later came to be called the Netherlands. At the time of the Roman occupation, the territory to the east of the Scheldt was inhabited by the Germans, and west of that river dwelt the Belgae, a confederation of some two dozen Celtic tribes. The Frisians lived along the northeast coast. With this barbarous tribe are connected the Saxons, the most independent of the barbarian tribes. They were not civilized for centuries after Roman occupation. They figure prominently in the history of Britain. Even in Charlemagne's time their subjugation was only temporary.

The leading part in the history of this section was to be played by the Germans and the Belgae and their descendants. Though of the same Aryan stock, these two peoples were very different from each other in character and manner of life. The Belgae were the first tillers of the soil. The Germans considered farming beneath the dignity of their military race. The Belgae built towns, and among them are found the beginnings of industry. Mention is made of "the exportation of the smoke-dried meats of the country, for which there was a certain demand, and of the woolen fabrics manufactured by the 'Morini' and the 'Menapii'."[1] The Germans, on the contrary, led a half nomadic life, built no permanent homes, and at this early period paid little or no attention to commerce or industries. The government of the Belgae consisted of aristocratic clanships. Among the Germans the free people were of more consequence. All important affairs were discussed in the general assembly. Only the common interest of self-defense against foreign invasion united them. With the conquest of the country by Rome, and the introduction of Christianity, the best elements of the two races were blended. A new era of civilization began in Europe.

1 PIRENNE, *Belgian Democracy; Its Early History*, p. 2.

Once they were subdued by Rome, they accepted Roman rule, and adopted the civilization of their conquerors. Their racial differences were lessened, but neither of them lost their national characteristics. Nor was there any real union between them and the Roman government. "Roman law, customs and traditions could furnish perhaps the strongest artificial ties that could bind together any nation."[2] The newly acquired provinces were, practically speaking, independent of the Empire. The administrative system of the Romans no longer served its purpose, and was of little value to a degenerate pagan race. It was, however, taken over by the barbarian tribes, and through them, handed down to future ages. The barbarians were given the privilege of Roman citizenship, but "to be a citizen of Rome simply meant to be a subject of Rome's master."[3]

Rome was unconsciously preparing the way for the spread of Christianity when she extended her conquests to the farthest limits of Gaul. Her great military roads were soon traversed by the missionaries. The boundaries of the oldest Roman dioceses coincided with those of the Roman provinces. The Church's respect for lawful authority was inculcated into the minds and hearts of Rome's new subjects. It was mainly through the efforts of the Church that the work of civilizing the barbarians was accomplished.

As early as the third century, the Franks began to make inroads into Gaul from the north and east. A long succession of weak Roman emperors endeavored in vain to check their advance. The weak garrisons of the Rhine frontiers were no longer able to oppose them. They were then employed by the Empire as mercenary forces. "They furnished troops for the defense of the frontiers, and in return were allowed to settle in the Empire under their own government and kings."[4] The withdrawal of the Roman legions to protect the city of Rome against the invasions of Alaric left the Franks in undisputed possession of Northern Gaul. They occupied the provinces now known as Flanders, Antwerp, Limburg, the larger part of Brabant and Liège. The Frankish State became the most important of all the kingdoms which were established as a result of the migra-

2 DEWE, *Psychology of Politics and History*, p. 81.
3 FREEMAN, *Chief Periods of European History*, p. 42.
4 BLOK, *A History of the People of the Netherlands*, Vol. I, p. 38.

tions of the nations. The Franks were the dominant element in the political and social life of the Middle Ages. Their institutions, customs, language and spirit prevailed for centuries.

Clovis was the greatest Frankish monarch. He was a descendant of the Merovingian dynasty, which derived its name from the legendary king, Meroveus. Clovis was the first to unite all the elements from which the new social order was to be formed. He established the barbarians in power. He rendered homage to Roman civilization (for he had the title of Roman patrician), and he and his followers accepted Christianity.

Of all the elements that went to make up the new state, none was so powerful and far-reaching in its effects as Christianity. It rendered the task of uniting Franks and Gallo-Romans less difficult. The country offered excellent opportunities for missionary activities, and in no other section of the continent were the labors and sacrifices of the missionaries so well rewarded. Clovis and his successors cooperated with the Church in spreading the Gospel. They were undoubtedly prompted by personal ambition, and above all, by a desire for conquest. Christianity may often have been a pretext with many of the Frankish monarchs, but it was a mighty weapon and a great power for good in the Frankish state.

The Merovingian dynasty rapidly declined, owing to the weakness of its kings, the dissensions among the various tribes and the ravages of Saxon invasions. There had arisen at the court of the Frankish king, a powerful official, the Mayor of the Palace. Under Pepin of Heristal, this office became hereditary, (687). His son, Charles Martel succeeded him in 714. He firmly established the power of his house in the Netherlands by his victory over the Saracens at the battle between Tours and Poitiers, (732). His son and successor, Pepin the Short, deposed the last Merovingian "roi faintenant," and he himself was "lifted on the shield" amid the acclamation of the people. He founded the second dynasty of Frankish kings, and was the father of the great civilizer of modern times, Charlemagne.

"For the Netherlands, also, Charlemagne, born perhaps in Liège, was the mighty king and emperor, with whose name the thought of law and order was inseparably connected."[5] He was

5 BLOK, *A History of the People of the Netherlands*, p. 53.

an absolute monarch. His will decided everything. His authority was not limited by the decisions of a general assembly. Under his wise administration, the Frankish State was reorganized and reached its highest perfection. He held the tribes together by the force of his own character and strong administration. Always devoted to the interests of his people, he encouraged commerce and industries, was a patron of learning and art, and zealous for the spread of religion. He defended the Church against her enemies and found in her the strongest support of his own royal authority. His diplomatic relations with the great rulers of the time brought the Netherlands into communication with other nations, and thereby increased the commercial activity of the country.

With the death of Charlemagne his great empire was dissolved. None of his successors could preserve its unity, or continue the work he had begun. Louis the Pious succeeded him, (814). He made his son, Lothair, king of Italy, and designated him co-emperor with the right of succession to the greater part of the inheritance. In 829, he again divided the Empire in favor of Charles the Bald, son of his second wife, Judith. His elder sons, Lothair and Pepin, now arose in arms against him, and took him prisoner after the battle of Lügenfeld, (833). A new division of the Empire took place in 839. Ludwig the German was now dissatisfied, and was preparing to make good his claims when Louis the Pious died, (840). The brothers now fought among themselves, Lothair, for unity and supremacy, Ludwig and Charles, for the division of the Empire. Lothair was defeated at Fontenoy in 841, and in 843 the brothers signed the Treaty of Verdun. By the terms of this treaty, the central portion, including the largest part of the Netherlands and Italy, was allotted to Lothair with the title of Emperor; the western part of the Empire, embracing the western part of France, and Flanders to the west of the Scheldt, was given to Charles; the eastern part, which included nearly the whole of Germany, and certain parts of Austria-Hungary, became the share of Louis.

The geographical and political divisions of Charlemagne's Empire, as marked out by the Treaty of Verdun, did not coincide. There was no natural boundary between them. Lothair's portion was cut in two by the Scheldt. Nor were they divided

according to race; and it is in this central portion, again, that this ethnological difference is found. By the Treaty of Mersen (870), Lothair's kingdom was divided between Louis and Charles, and ceased to exist as a separate state. The second treaty of Verdun (879), made the Scheldt the boundary between Germany and France. The eastern portion of this central division thus came under the direct influence of Germany, and was known as "Lothair's Regnum," Lotharingia or Lorraine. The western half was under the dominion of France and was called Flanders. These separate divisions were reunited for a time under Charles the Stout, (882-884), who was deposed by his nobles at the Diet of Tribur (887).

His inability to cope with the terrible invasions of the Norsemen may be said to have cost Charles the Stout his crown. Even before Charlemagne's death, these pirates of the sea threatened his vast empire, and his weak successors were unable to resist their attacks. The new civilization, with its culture, its commercial and industrial activities, which Charlemagne had encouraged as a means of preserving the empire practically disappeared. "Of the social progress achieved by the ninth century, nothing remained."[6]

The Norman invasions were the principal factor in the systematic development of Feudalism in the Netherlands. This was a form of government which arose out of the military and economic needs of the times. Self-defense was its primary object. The idea of feudalism had existed for centuries. In later Carolingian times, the practice of recommendation was common, i. e., the giving of oneself to a noble, or higher freeman, in order to be protected against an enemy, and receiving in trust a grant of land, called a fief. By the Edict of Mersen (847), "Every man shall be able to choose a lord for himself, either the king or his vassals, and in ordinary wars, vassals may appear in the field under the command of their lords."[7] This is evidence of the king's approval of the practice. Many of these "ordinary wars" were caused by the difficulties arising from the feudal relations, and the lack of a central executive power to

6 PIRENNE, *Belgian Democracy; Its Early History*, p. 4.
7 DURUY, *The Middle Ages*, p. 151.

settle these disputes. By the Edict of Kiersy, (877), fiefs became hereditary.

There could be no political unity under such a system. The authority of the king was divided. He had much to fear from his powerful vassals. These nobles were the intermediaries between the lower classes and the king. Feudalism weakened the authority of the king, and strengthened the power of the vassals. The nobility in its turn, aimed at nothing less than the absolute authority of the king. A reaction against the movement is seen in the rise of the Communes. The period of Feudalism, the tenth and eleventh centuries, may be called the period of the dukes and the counts. Local authority was supreme. This led to civil strife in the Netherlands, and especially in Lotharingia, which was divided into a number of small principalities. Each county or duchy worked for its own interests, and took sides for or against its neighbors according to the advantage to be gained.

Feudalism was by far better organized and more firmly established in the western part of the Netherlands than in the eastern portion. This was not due, however, to the political strength of the French, but rather to the weakness of their kings and the growing power of the great vassals of France, the Counts of Flanders. Baldwin I (Iron Arm) laid the foundation of the political greatness of Flanders by his marriage with the daughter of the French king, Charles the Bald. He demanded and finally obtained his rights as a member of the royal family. His services to the French Crown could not be overlooked by Charles the Bald, who unwillingly yielded to the demands of his son-in-law. The French kings had much to fear from the Counts of Flanders, for the vassals became more powerful than the lords.

The situation was quite different in the eastern part of the Netherlands—Lotharingia, which was ruled by Germany. In the first place, the emperors were men of administrative ability. They saw to it that their vassals did not secure unlimited power. "At the beginning of the eleventh century, the royal power, if not absolute or undisputed, was strong. The most essential steps had been taken towards consolidating the state and destroying the tendencies toward local independence, and there was every

promise that the process would go on to complete success."[8] The Germans, as a race, were characterized by an innate spirit of independence. Their government was democratic. They had their national legislative assembly, an elective monarchy, and an independent or self-developing system of law, crude, it is true, in the early Middle Ages, but of vital importance for the reason that the people themselves made the laws. "Feudalism did not reach its maturity quite so early in Germany as in France, not having grown up naturally there, but rather being introduced from without."[9] How firm a hold it had taken there by the middle of the tenth century is shown by the opposition of the Lotharingian vassals to the policy of Otto I, (936-973), who distributed dukedoms as gifts of the Crown without regard to hereditary claims or popular election. He conferred on his brother Bruno the Duchy of Lotharingia, and brought about his appointment to the Archbishopric of Cologne. By this means, the Emperor hoped to secure ecclesiastical as well as civil control. "It was owing partly to Otto's masterful character, partly to the unfortunate state of Rome and Italy that the imperial rule of Otto and his successors tended towards a predominance of the imperial over the papal authority and a certain subordination of the Church and her pastors under the protectorship of the emperor."[10] This state of affairs led to a weakening of the power of Germany in Lotharingia, and the triumph of the Church in the Struggle for Investitures practically put an end to German influence in the eastern Netherlands. The nobles, who often fought against each other, had now one common interest, to free themselves from the dominion of Germany. They rebelled against their feudal lord. The name Lotharingia disappears, and the duchy is henceforth known as Brabant. "It included the provinces of Brabant, and Antwerp, the County of Limburg, the County of Namur, the County of Hainault, the Duchy of Luxembourg, and the two Ecclesiastical Principalities of Cambrai and Liège."[11]

Brabant and Antwerp were commercial and economic centres, whose inhabitants were progressive, and progress means

8 ADAMS, *Civilization During the Middle Ages*, p. 190.
9 ADAMS, *Ibid.*, p. 177.
10 GUGGENBERGER, *General History of the Christian Era*, Vol. I, p. 211.
11 VAN DER ESSEN, *A Short History of Belgium*, p. 19.

change. Hainault, on the other hand, situated in a mountainous country, was not favorable for trade and manufacture. There was not likely to be much conflict here between the lord and his vassals. Hainault and Holland were under one dynasty, that of the d'Avesnes. At the close of the fourteenth century these came under the control of the House of Bavaria and were eventually merged in the Burgundian possessions under Philip the Bold. Limburg was taken by Duke John I of Brabant after the Battle of Worringen, (June 5, 1288). Brabant had long desired this territory which would give to the duke the right of way to the sea. The Principality of Liège was, practically speaking, under the control of the Dukes of Brabant.

When Lotharingia had freed herself from the domination of the German Emperor, Flanders began to experience difficulties with her feudel lord, the king of France. England and France were rivals. England and Flanders were on the most friendly terms. The commercial relations between these two countries were of the highest importance for Flanders, and had a far-reaching influence on the history of the period. Flanders depended on England for her supply of wool. England depended on Flanders for the manufactured product. Unfortunately for Flanders and the other Netherland states, a struggle was now going on between the nobles and citizens. France took advantage of this.

On the death of Count Philip of Alsace (1191), France tried to annex Flanders to the Crown, but was thwarted by the Count of Hainault. The struggle between the lord and the vassal did not end here. The issue was decided by the Battle of Bouvines (July 27, 1214), in favor of Philip Augustus, and resulted in the subjection of Flanders to the French Crown. It remained under the dominion of France until the Battle of Courtrai (July 11, 1302), which put an end to French rule in the Netherlands until 1792.

The Battle of Courtrai was the crisis in the great conflict that was going on in the Netherlands between the patricians and the craftsmen. The wealthy turned to Philip the Fair of France to aid them in their struggle with their own Count, Guy of Dampierre, who had espoused the cause of the craftsmen. The Battle of the Golden Spurs, as it is called, cannot be overestimated in its

results. It was the victory of the democracy over the aristocracy. The growing power of the popular party was due in great measure, to the Rise of the Communes. The Communal Movement did not originate in the same manner in the various provinces of the Netherlands, a fact which may be accounted for by the diversified origin and character of the cities.

The cities of the Netherlands originated in various ways. Some of them, as their names indicate, date their beginnings back to the time of Roman occupation. Others arose in the neighborhood of a church or a monastery, where the people naturally turned for protection. Again, others were no more than market places, or centres for the exchange of commodities. During the period of Norman invasion and barbarian incursions, the princes, lay and ecclesiastical, constructed defensive enclosures called "Castra." These castles of the tenth century were the nuclei of the future towns. In those days the name "city" was applied only to places which had a bishop, no matter what their importance otherwise. But the chief center of activity and the one which played an important part in the history of the Netherlands was the "Portus." The "Portus" owed its origin to the natural features of the country itself and to its geographical position. The Netherlands were the meeting point of the two great streams of European trade. The coasting trade of the North Sea and the Baltic put them in touch with eastern merchants, who passed to and fro between the Crimea and the Gulf of Bothnia and across the plains of Russia. The Netherlands were also the terminus of the northern trade route of the Italian merchants. The people were now attracted by the advantages of commerce, and settled in those parts which offered such opportunities, for example, at the confluence of two rivers, as at Ghent, or where boats had to be unloaded, as at Louvain. Men who had hitherto considered themselves as bound to the soil now sought new homes in these new centres.

This new state of affairs demanded a complete change of administration. The Old Carolingian laws no longer served their purpose. The financial administration had to be remodeled. Many social changes took place in consequence of the development of commerce.

In the twelfth and thirteenth centuries, a place was not considered a city until it had received its charter, either from the sovereign of the country or the local lord, who sometimes granted the charter without the approval of the sovereign. Louvain and Brussels received their first charters of enfranchisement in 1235. A noteworthy feature of the charters of the period is exemption from the operation of the feudal law, and the recognition, by the dukes or counts, of laws framed by the people themselves. Once this privilege was granted the cities, there was not much difficulty in strengthening the power of the people at the expense of the authority of the local lords. Every new grant of money by the city meant an increase of liberty for the people. The Dukes of Brabant were inclined to favor the aristocratic party in the cities. The citizens objected to this, and it was only when they closed their coffers against the Dukes that they were given their rights. In 1312 Duke John II was compelled to sign the Charter of Cartenberg, which confirmed and extended the privilege granted by his father, Duke John I, in 1292.

A free city of the twelfth and thirteenth centuries had its own administration of justice. It had its own government by magistrates selected by the prince from among the citizens, or elected by the citizens themselves, and always under conditions favorable to them. It had, besides, special privileges with regard to tolls in the lord's territory. The free cities differed from the communal cities in that the former were under the domination of the lord and more dependent on him, while the latter were practically independent of any ruler. The influence of the Italian free cities is noticeable in the northwestern part of the Netherlands, and eventually in the Frisian districts. The cities, passing north along the Rhine into Guelders, Friesland and Utrecht, had a distinctive German municipal character. But these free cities were not yet Communes.

The population of the free cities was composed of soldiers, landowners, merchants and workingmen. The last two were more important politically, and "grouped together in professional and religious associations called 'Guilds'."[12] Their object was mutual support and protection. These associations were mainly religious in the beginning, but gradually took on a more

12 Van der Essen, *A Short History of Belgium*, p. 39.

political aspect in the Netherlands. They had a common treasury, managed by their own aldermen, and common rights, which they usually obtained from the lord of the land for a payment of money.

The Communes developed from this simple process of association for a definite purpose, but only the wealthy citizens could become members of the Communes. The first step was the taking of the Communal oath by a body of free and well-to-do citizens. These three primary conditions, viz., that the members be free, of sound body, and wealthy enough to meet the demands of the Communes show that the aim of the society was to break the feudal bond by physical force, if money could not do it. "In no case was the consideration of cash left out of sight. The Charter, in spite of its lofty declarations of interest in the citizens of the 'good town,' was bought and paid for."[13] Nobles and clergymen could not become members of the Commune. They might take the communal oath, and thereby show their respect for the rights of the members. Though the lords often refused to grant the communal charters in the beginning, the society entered at once upon the practical exercise of its rights, and when it became strong enough demanded a charter. These documents were the foundation of all communal action and jealously guarded by the citizens. In the communal charter the legal relations of citizens among themselves and to the lord, and particularly the financial advantages to be gained by him were treated at length. The right of electing magistrates, and the powers invested in these officials varied in different places; but all had one communal feature, that the lord had nothing to do with the election. These aldermen were seven in number and were usually elected for life. Under them were the counselors, and at their head were the burgomasters who superintended the finances.

To a ruler like Philip Augustus of France, the Commune, in its first stage of development, served some useful purposes. It brought him into direct communication with the people. He needed money and troops, both of which could be obtained from the Communes without any interference on the part of local authority. This was an advantage not to be overlooked at a

13 EMERTON, *Mediaeval Europe*, p. 529.

time when the nobles were either unwilling or unprepared to meet his demands. But the important point for the French monarchy was that the Communes diminished the power of the vassals in the Netherlands. The manner in which he won over to the French cause the city of Tournai is a good illustration of Philip's use of the Commune. "Early in his reign Philip saw both the strategical and the political importance of the city,"[14] and he determined to win it. He not only confirmed all its previous privileges, but granted the citizens exceptional rights which not only freed them from local authority, but "gave them a constitution on lines of the completest self-government of the age. In return they became pledged to send three hundred men-at-arms at his call to war."[15] They refused entrance into the city to their own Count, Baldwin of Flanders, who was then at war with France.

"In Flanders, the counts were sincere protectors of the Communes; they regarded them as a mighty resource of their treasury and early recognized the claims of the 'mercatores'."[16] However, under Count Philip of Alsace, the freedom of the communal cities was held in check. Commerce flourished in Flanders as never before. But he himself was master, and always first in authority. During his reign, there was no marked advance made in the acquisition of communal liberties.

"In the duchy of Brabant, the Communes developed more slowly, owing to the fact that conditions for the development of trade and industry were not so much advanced here."[17] But with the spread of the movement in Flanders, and the growing commercial relations between the eastern and western sections of the Netherlands, the demands of the citizens for further extension of privileges could not be disregarded by the local rulers. One aim was always kept in view by the citizens, and that was to make these privileges permanent.

"One of the most famous privileges won by the people during the communal struggles of the fourteenth century was the Joyeuse Entrée of Brabant (1354-56)."[18]

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14 HUTTON, *Philip Augustus*, p. 95.
15 *Ibid.*, p. 96.
16 VAN DER ESSEN, *A Short History of Belgium*, p. 42.
17 *Ibid.*, p. 43.
18 *Ibid.*, p. 66.

Its introduction was destined to absorb all past monuments, and to become the most celebrated charter in the history of the Netherlands. Its origin was not entirely due to the popular demands, but partly to the settlement of the question regarding the succession to the duchy of Brabant. This province had been held for centuries by the Counts of Louvain, whose direct line was at this period threatened with extinction. Duke John III was left towards the close of his life with only three daughters, who had married into the Houses of Bohemia - Luxembourg, Flanders and Guelders. Anxious to preserve the prosperous and compact state organized by his forefathers, he made a will whereby the Duchy of Brabant, the Marquisate of Antwerp, the Duchy of Limbourg and the Brabantine territory west of the Meuse were all to be held by his eldest daughter, Jeanne, wife of Wenceslas of Bohemia. His two younger daughters were provided for in money. To avoid the contention that might arise among his children and their partisans after his death with regard to the succession, Duke John III called together at Louvain in 1353, the deputies of the towns and free rural districts of Brabant and Limbourg that there might be an agreement of opinion between the duke and the people in so important a matter. Only the assent of the county itself could prevent all future difficulty among the three sisters.

This turning to the people for the consideration of the rights of his children serves to bring out the relations between the lord of the land and his subjects. It is proof that the old democratic ideas of the Germans still had a firm hold in Brabant; that the people had rights which had to be respected; that they must have a voice in the government of their country. John III, then, in his efforts to make secure the inheritance of his ancestors for his own posterity was advancing the cause of a free people. It was a tacit acknowledgment that the people, not the duke, ruled the country. It is not to be wondered at if rebellion arose among such a people under a ruler like Philip II of Spain.

At the assembly convoked by Duke John at Louvain, the act of "Union of the cities of Brabant and of Limbourg" was concluded. This union was the fulfillment of a long cherished hope on the part of the dukes of Brabant, and for the people, another step towards independence. In substance, the Act of Union

embodied the privileges granted by the Joyeuse Entrée, the terms of which took definite shape at the assembly of 1353. An authentic instrument, in which their principles of liberty were definitely stated, was indispensable at this period. Wenceslas was not a native of Brabant. He had not the spirit of the princes of the House of Louvain. He could not sympathize with the people. His feudal tendencies would be a check to the power of the citizens, who now took every precaution to safeguard their privileges.

Sworn to for the first time by Jeanne and Wenceslas, the Joyeuse-Entrée remained in force to the end of the ancient regime, and formed the very foundation of the Brabançon constitution, and in fact of all the provinces of the Netherlands. The inaugural charter of 1356 sanctioned among others, the following laws: First, that the states of Brabant are indivisible. Second, that the duke is obliged to maintain the union of Limbourg and of the country beyond the Meuse. Third, that the charters of the duchy, together with the great ducal seal are to be in the possession of the leading municipal cities. Fourth, that the duke could declare no offensive war, contract no alliance, consent to no cession of territory, coin no money, nor fix the value of gold without the previous assent of the cities. The terms of the charter also provided for free commerce, on condition of payment of the legitimate tolls. The duke was also obliged to maintain free roads through the territory; to protect his subjects from molestation by strangers or arrest by foreigners. He was also to respect the peace compacts recently concluded between Duke John III, the Archbishop of Cologne, the city of Aix-la-Chapelle, some of the neighboring princes of the northeast, as well as the treaties made in 1339 with Flanders, and in 1347 with Liège. It was stipulated also that the members of the duke's council be natives of Brabant, of legitimate birth, and that they be residents of the country itself. They were to exercise the duties of their office in person. Except in matters pertaining to ecclesiastical jurisdiction, no citizen of Brabant, under penalty of severe chastisement, could cite another citizen of Brabant before a foreign court of justice; nor could one challenge the other to judicial combat. The duke himself was subject to the same laws as the people.

"The Joyeuse-Entrée, therefore, was a true mirror, in which was reflected at the commencement of each succeeding reign the tendencies and forces of the princely power on the one hand, and those of the representative body of subjects on the other. It was only toward the close of 1549, at the inauguration of Philip II as future successor of Charles V that its text was subjected to serious alterations."[19] The charter was subject to change on the accession of each succeeding ruler. The successive texts are, in fact, a political history of the provinces. In them, the questions at issue in the preceding reign were settled, and some new feature, always to the advantage of the city and its population, is to be noted. But it had in it, undoubtedly, a stable and permanent element which was retained in all the successive texts.

Throughout the fourteenth century there was a growing tendency on the part of the Netherland provinces to consolidate. The efforts at consolidation, however, were largely those of the dukes of Burgundy, rather than those of the people. There was too much jealousy among the cities to bring about any concerted action on their part towards unity or consolidation of power.

The Burgundian rule in the Netherlands begins with Philip the Bold (1384), who married Marguerite of Male, a descendant of the House of Dampierre, and the richest heiress of the west. Through her aunt, Duchess Jeanne of Brabant, their son Antoine came into possession of Brabant, Antwerp, Limbourg and the states beyond the Meuse. By making marriage alliances for his children, Philip further strengthened the territorial power of Burgundy. His son Antoine married Elizabeth of Gorlitz, heiress of the duchy of Luxembourg, and annexed that vast territory in 1409. The marriage of his grandson, Jean IV of Brabant with Jacqueline of Bavaria ultimately brought under the sceptre of Burgundy, Hainault, Holland and west Friesland. His son, John the Fearless, continued his policy of territorial aggrandizement.

To the successor of John the Fearless is due the beginnings of a strong central government in the Netherlands. Philip the Good became Duke of Burgundy in 1416. He profited by the financial difficulties of his kinsman, the Count of Namur, and purchased his territory from him in 1421. Namur, however,

19 POULLET, *Institutions dans les Anciens Pays-Bas*, Vol, II, p. 49.

was not annexed to the Burgundian state until 1429. "If the ecclesiastical principalities of Cambrai, Utrecht and Liège escaped the absorption, it was due to their very character. Still, Philip succeeded in attaching them to his policy by placing in the episcopal sees, now by means of intrigues and again by the aid of military demonstrations, either the princes of his family, or lords naturally devoted to his interest."[20]

But by far greater consequence for the history of the Netherlands were the political measures adopted by Philip the Good. Without disowning the imperial tenure of his fief situated on the right of the Schedlt, he always succeeded in eluding the taking of the oath of fidelity to the lord. "The treaty of Arras of 1435, by which he was reconciled with Charles VII suspended, 'quant à sa personne,' the duties of vassalage, which under various titles bound him to the Crown of France. This same treaty, moreover, gave him a solid military frontier to the southern border of his estates in the Low Countries, and transferred to him for a time, Picardy and the cities of the Somme."[21] This treaty led to serious difficulties during the reigns of Charles the Bold of Burgundy and Louis XI of France. Philip the Good sought to give unity to his possessions by the reestablishment of the old Lotharingian kingdom. The Emperor Frederick agreed to confer the royal title on him, but exacted from him in return a considerable pecuniary indemnity. But Philip disdained the purchase of a royal title. The kingly power was his, and he was satisfied with it.

"His work was nearly destroyed by the extravagant plans and the ambitions of his son, Charles the Bold, who succeeded him in 1467. The reign of Charles was dominated by the struggle with the shrewd king of France, Louis XI. This king watched with anxiety the increasing power of one of his vassals, and tried to circumvent his plans in all possible ways."[22] Louis XI succeeded finally in involving Charles the Bold in a war with the Swiss, and this most ambitious of the Burgundian dukes fell at Nancy in 1477. His efforts at centralization were not successful, and he left to his daughter Mary the vast Burgundian state,

20 POULLET, *op. cit.*, Vol. II, p. 236.
21 POULLET, *op. cit.*, Vol. II, p. 236.
22 VAN DER ESSEN, *op. cit.*, p. 76.

laboriously formed by his predecessors, now threatened with dismemberment.

The State of Burgundy lacked territorial unity. It was in vain that Charles sought to bring together his possession in the north and the south. He had the racial instincts and traditions of the Valois. His tendencies towards a monarchical form of government were distasteful to a people who so jealously guarded their freedom. His idea of absolute authority, of government in the hands of one prince, was foreign to the Netherlanders. The provinces were so taken up with their own interests, that the unity of the great Burgundian State had no meaning for them. At the same time, there were present in the State certain elements which were ultimately to bring about this unity.

The revival of the study of Roman law gradually introduced the concepts of state and sovereignty, and the "Legists," as the students of Roman law were called, always enjoyed the favor of the dukes. The enmity between the nobles and the Communes was taken advantage of by the dukes, who now offered to the nobility the attractions of court life. "In order to keep the nobles loyal to his person, Philip the Good founded at Bruges in 1480, the famous and privileged order of the Golden Fleece."[23]

The material force, employed as the most common means by the Burgundian dukes to attain their purpose, failed of success; but it resulted in a reaction among the Netherlanders, and a more united effort to maintain their rights. The establishment of the Estates-General by Philip the Good in 1465 served as a means to weaken provincial individualism and strengthen local authority. When Mary of Burgundy succeeded her father, this institution came to have a real meaning.

The members took upon themselves the exercise of the sovereign power from the death of Charles the Bold to the accession of Maximilian and Mary. And even for this royal alliance, the sanction of the Estates-General was required. They imposed on the duchess, in the meantime, their "Great Privilege," (Feb. 11, 1477). As this body represented the majority of the provinces of the Netherlands, the demands of the members, as set forth in the "Great Privilege," clearly showed the grievances of the

23 VAN DER ESSEN, *op. cit.*, p. 81.

people against the administration of the dukes of Burgundy. It is further remarkable as being the first constitutional act of the united provinces of the Netherlands. The following are some of its most important stipulations:

The abolition of the Parliament of Malines, established by Charles the Bold in 1473, which centralized the administration of justice, was the last court of appeal, and disregarded the national independence of the various provinces. The institution of the "Great Council," invested with limited powers, and established on a fixed basis. The presence of the duchess at its meetings was also required. This Council was to comprise not only the princes of the blood, but also twenty-four permanent members, named by the duchess, one-half to be clergymen, the other, nobles. All the members of this Council were obliged to respect the privileges, customs and usages of the people, and the acts passed by former dukes, which were in contradiction to these privileges, usages and customs were to be annulled. The "Great Council" and the provincial councils were required to have their official documents drawn up in the language used in the locality with which these papers were concerned. The duchess and her successors could henceforth carry on no war, offensive or defensive, without the previous assent of the Estates-General. If the members refused to give this consent, neither vassals nor subjects were obliged to obey the call to arms; and furthermore, commercial relations were not to be suspended with those countries that the States refused to consider as enemies. Every point of government was treated in detail. "The charter concluded with an ancient clause of 'refus de service,' should the duchess violate her promise in whole or in part."[24]

Besides the conditions imposed on the duchess of Burgundy by the Estates-General, Flanders, Holland and Namur wrested from her in their turn their provincial privileges. The Joyeuse-Entrée of Brabant was renewed with even more favorable modifications than ever. All these concessions were made before the union of the Netherlands and the House of Hapsburg which took place on August 18, 1477.

24 POULLET, *op. cit.*, Vol. II, p. 266.

Maximilian sustained with vigor the repeated attacks of France, whose ruler now feared the increasing power of the House of Hapsburg. The death of his wife in 1482 brought about even more difficult complications. The succession of her son, Philip the Fair, was not questioned, but the regency during his minority, as well as the tutelage of the young prince were disputed. Maximilian justly laid claim to the regency and the guardianship of his own son. Flanders was especially active in its opposition. The communal cities of Ghent, Ypres and Bruges formed a league against him, and tried to win other cities over to their side. In these uprisings, the communes themselves were not united. Some of them tried to remain neutral, while others sided with Maximilian, and aided him in his struggle with the rebellious cities. These, aided by France, were defeated in this, their last great conflict with their prince. Bruges lost its prestige as a commercial center. Foreign merchants now turned to Antwerp, and took their trade with them. Broken and impoverished, the rebellious cities no longer questioned the authority of their prince.

Philip the Fair was inaugurated as duke and count of the various provinces of the Low Countries, (1494). The principal event of his reign was his marriage with Jeanne, the Infanta of Spain, and the marriage of his sister Marguerite with Don Juan, son and heir of Ferdinand of Arragon, and Isabella of Castile. Thus was accomplished the union of the Houses of Hapsburg and Spain. All the heirs to the Spanish throne died within a space of several years, and Philip the Fair and Jeanne succeeded to the Spanish possessions. They were proclaimed King and Queen of Castile, Leon and Granada in 1505 at Brussels. "By this very act, the Low Countries, without losing their individuality, became annexed to the monarchy of Hapsburg."[25] The Netherlands had now become a part of a great Empire, an Empire, however, with whose interests the people of the Netherlands had very little in common. Nor did the Low Countries escape the consequences of the great European events that had such important results for the inheritance of Philip the Fair, who was succeeded by his son, Charles I of Spain, elected Emperor at Aix-la-Chapelle in 1520, as Charles Fifth.

25 POULLET, *op. cit.*, Vol. II, p. 280.

II

CHARLES V AND THE NETHERLANDS

Charles was born at Ghent on February 24, 1500. As the son of Philip the Fair, Archduke of Austria, he was heir to the Hapsburg possessions and the Burgundian provinces of the Netherlands. His mother, Joanna of Castile, being afflicted with insanity, he succeeded Ferdinand the Catholic on the throne of Spain, as Charles I, with control over Navarre, Naples and Sicily, which countries Ferdinand had succeeded in winning from France. He was elected Emperor on June 28, 1519, and crowned on October 23, 1520. Of his hereditary lands, Spain and the Netherlands were the most important. His Italian possessions were valuable in that they served as a base of operations in the wars between France and Spain during the Emperor's reign. Another important acquisition of Charles was Milan, which he claimed as a fief of the Empire. Its utility to the Spanish cause was fully realized during the reign of his son, Philip II. His election to the Empire may have been a great victory over his rival, but it created difficulties for him on every side, and as Emperor his work was not a success.

He was declared of age in his Netherland provinces in 1515 by the Estates-General, but in opposition to the wishes of the Emperor Maximilian. The regent, Margaret of Austria, likewise opposed the action of the Estates. Throughout his long reign, Charles always relied on his Netherland subjects. The Low Countries were his chief source of revenue. "Year after year, the Estates voted untold subsidies; the total contributions of the Low Countries are estimated for 1520-30 at no less than 15,000,000 livres 'tournois'; and though a considerable part of this was consumed in the defense of the provinces, for the necessity of their government, and the maintenance of the Court of the Regent, it was to the Netherlands Charles looked in the moments of his greatest despair."[26] Yet no other division of his Empire suffered so much in the long French wars in which "The Low Countries had no quarrel with their neighbor, France."[27] Charles' Minister, Chièvres, had always tried to maintain a

26 CAMBRIDGE, *Modern History*, Vol. II, p. 63.
27 ARMSTRONG, *op. cit.*, Vol. II, p. 309.

policy of peace. It was the succession to the Spanish Crown, as well as the accession to the Empire that caused the personal wrangling between Charles and Francis.

Before leaving the Netherlands for Spain in 1516. Charles concluded with the French King the Treaty of Noyon. Among other things, the Emperor pledged himself to marry a daughter of Francis I. "This treaty was concluded under the influence of Flemish counsellors, who had surrounded Charles since he had taken up the government of the Netherlands the previous year. It was inspired by a desire for peace with France, in interests exclusively Burgundian."[28] These interests conflicted with those of Spain, and it was in vain that the Flemish government tried to convince Spanish officials that the treaty was not permanent. It was intended only as a safe conduct to Spain. Here the Emperor found new difficulties awaiting him.

The kingdoms of Castile and Aragon were nothing more than a conglomerate of kingdoms and counties, having no common constitution. Long-standing rivalries existed among them. On the death of Ferdinand the Catholic, trouble broke out anew among the factions, and rebellion against the new sovereign was imminent. Charles was unpopular with his Spanish subjects. They would have preferred his brother Ferdinand, who was one of them. Charles was really a stranger in Spain. He spent as little of his time as possible there, another grievance that the people brought against him. His interests were in his Netherland provinces largely, and this was owing to the repeated attacks on them by the allies of Francis I: Charles of Egmont, Duke of Guelders and Count of Zütphen in the North; Robert de la Marck in the south. The former, especially, was a constant source of trouble to the Netherlands for thirty-eight years.

In the series of wars waged by Charles and Francis I, the Netherlands were always an objective point, generally for attack, and always for settlement by the terms of the various treaties made between them. In his dealings with the French king, the Emperor's conduct was marked by slowness of action; deliberation, almost to the point of irresolution; manly perseverance, in spite of the obstacles he had to overcome in the pursuit of his

28 CAMBRIDGE, *Modern History*, Vol. II, p. 39.

ends; moderation in victory, and obstinancy in the maintenance of his rights.

His difficulties were many and serious. Not the least important was the inefficient organization of his countries, politically, financially and from the military point of view. "In none of his possessions, was there supply without consent; in each of his Spanish kingdoms, in each of his Netherland provinces, in each of his hereditary Austrian States, in Naples and Sicily there was a system of Estates in full working order, and all were jealous of their privilege of supply."[29]

From time to time, the Regents of the Netherlands, Margaret of Austria, and Mary, the Emperor's sister, who succeeded her, warned Charles that it was time to put a stop to the exorbitant demands made on the Netherlands. His own native city was the only one which rose in rebellion against him, but paid the price of it. Had it not been for the wise rule of the Regents, who really worked for the interests of the people, Charles might have failed in the Netherlands. But in spite of all difficulties, he succeeded in perfecting the work of consolidation and centralization begun by his predecessors, the Dukes of Burgundy.

"Peacefully or by force, Charles successively annexed East Friesland, Tournais and Tournaisis, Overyssel, Groningen and Ommelanden, Gueldre and Zütphen to his domains. In the ecclesiastical principalities, which the Burgundian dukes had never been able to annex, but only to control, Charles succeeded in winning the temporal power in the bishopric of Utrecht; destroyed Térouanne, the seat of the bishopric of the same name; erected Cambrai and Cambresis into a duchy in favor of the bishop; and purchased part of the principality of Liège, where he built strong fortresses."[30]

The northern provinces, however, still showed traces of their independent spirit. Friesland, Groningen, Overyssel and Guelders claimed the right of independent taxation, and of exclusion from the general assessment made by the Estates-General. That body by no means, favored the measures of Charles V. They resisted permanent taxes, and succeeded in evading them. He interpreted their charters to suit himself, often sending du-

29 Armstrong, *op. cit.*, Vol. I, p. 119.
30 Van der Essen, *op. cit.*, p. 95.

plicates in place of the originals, making changes that suited his own purposes. In his struggle with the municipalities, Charles adopted the policy of favoring the nobility. He won the nobles by bestowing on them the most important offices, and the promise of membership in the Order of the Golden Fleece. This favoring of the aristocratic party by the emperor was the principal cause of the revolt of the Netherlands under Philip II. The success of such a policy could be only partial and temporary, because Charles V and Philip II ruled in an entirely different manner. Another circumstance that served to promote the interests of the Crown was the growing influence of jurists, skilled in Roman law. The emperor associated many of these with him in the affairs of State. He explained his policy to them. Philip II was not given to anything like explanation to his subjects. Hence, the Emperor, by his policy in the Netherlands created many of the difficulties that brought untold misery to the people of the Netherlands during his son's reign.

Despite his continual wars, the Netherlands made great progress throughout his reign. The prosperity of Antwerp and Amsterdam was due largely to the union of Spain and the Netherlands. Antwerp became the greatest trading center of the world under his reign. "He strove especially to foster the progressive industrial elements of the middle class." . . . "While furthering this progress, Charles used it to give political influence in the cities of the Low Countries to the progressive classes who were loyal to himself." . . . "Judged by its results, Charles' economic policy was successful in the Netherlands."[31]

But the prosperity of the provinces during this period serves only to bring out in a more striking manner their decline during the reign of Philip II, a decline which resulted largely from the failure of Charles' administrative system. He recognized the need of a strong central government. He perceived that the ruler in the Netherlands must be the center of activity. He did not clearly see, at the beginning of his reign, that local interests in the Netherlands could not be ignored by the ruler for the benefit of a central government. Each province was a centre in itself. Each province had its own interests. Any attempt to establish a central government at the cost of those interests was

31 *Catholic Encyclopedia*, Vol. III, p. 626.

bitterly opposed by the people. The predecessors of Charles V, the Dukes of Burgundy, had failed to establish a monarchy. The emperor's efforts, likewise, were to prove unsuccessful. As a means to that end, he brought about the dependence of the judicial officials on the central administration. "The municipal courts, however, represented popular and local privilege, and hence the resistance to monarchical principles was the more obstinate. The larger towns possessed, by charter, immunities from the intervention of higher courts until it came to a question of appeal. They had also wide powers of legislation by means of by-laws. The towns clung desperately to their judicial rights, which acquired added importance from the activity of the higher courts in matters of heresy."[32]

Heresy soon found a foot-hold in the Netherlands. The location of the country favored the expansion of false doctrine. It was brought into the country by foreign merchants; by the regiments of Swiss and Germans, whose service Charles V had employed in his wars against the king of France; by the fugitives from England, who fled from the persecution of Queen Mary. The border country on the east was infected by the Lutheranism of Germany, and on the west by the Calvinism of France. And in the northeastern part of the Netherlands the Anabaptists had become strong. The discontent and rebellion that were at this time quietly working in the Netherlands were favorable to Protestantism, for rebellion against authority was the root of the Reformation. To safeguard the faith of his subjects, Charles V enacted a series of penal laws or "Placards," as they were called.

These edicts were an attempt to regulate the whole area of social and economical life, with a view to checking the spread of heresy. The Estates-General, the prominent members of the military aristocracy and the Knights of the Golden Fleece approved them. "They were preventive and repressive at the same time. From a repressive point of view, they distinguishd between the crime of heresy, and the simple offense against the prescriptions of the 'placards'."[33] The crime of heresy was to be judged by an ecclesiastical judge; the offense against the

32 ARNSTRONG, *op. cit.*, Vol. II, p. 333.
33 VAN DER ESSEN, *op. cit.*, p. 98.

"placard" by a layman, the secular judge. "The jurisdiction of the ecclesiastical judge was limited by strict rules. He might not impose a penalty prescribed by the 'placards' or any penalty involving the shedding of blood." These "placards" were drafted by trained jurists and based upon the principles of Roman law. The Emperor had a right to publish these edicts in the municipalities; but they sometimes conflicted with the local privileges, and were a contradiction of the by-laws of the various provinces. This brought up the question of authority and the interpretation of the charters themselves. Charles V and his Council of State usually interpreted them for the benefit of the Crown, and insisted on the point that diversity of law was detrimental to the good of the State; that from the fusion of provincial and municipal customs a common law should be evolved. The contest between central and local government often threatened to become bitter. But Charles V was not altogether lacking in moderation. He had besides, an eminently legal mind, and when the law was clear in favor of local privilege, he yielded the point.

But he was nevertheless preparing the way for the absolute rule of the monarch in the Netherlands. To bring this about, it was necessary to reduce the power of the Estates-General. Charles tried to do this by proposing to this body the organization of a permanent army, for the plausible purpose of guarding the provinces from foreign attack, and he would further maintain this army by the imposition of a permanent tax. But the members of the Assembly knew their Burgundian ruler too well to accept such a proposal, and Charles was forced to give up the idea. In the reign of Philip II there must have been a dread in the minds of the people that the presence of Spanish soldiery in the Netherlands was to be permanent. It was, besides, the attempt to tax them without their consent that led to the widespread revolt against Spanish rule.

Charles V also proposed the erection of the new dioceses in the Netherlands, with a view to improve on the administration of ecclesiastical affairs, still so closely united with affairs of State. His primary object, however, was national. The serious troubles of his Empire at this period prevented the work. This was to be the task of his son and successor, Philip II of Spain.

III

PHILIP II AND THE REVOLT OF THE NETHERLANDS

Philip II began his rule in the Netherlands in January, 1556. In a previous visit to the provinces he had been officially recognized as their future sovereign. Unfortunately, the new ruler had not inherited any of the statesmanship of his father. "Philip was bounded and isolated by mental limitations as irremovable as the Pyrenes, which shut in his native land. As King of Spain alone, having only local problems to deal with, modest, cautious, painstaking and just, he might have been a happy and successful—even a great—monarch, but as leader of the conservative forces of Christendom, he was in a position for which his gifts unfitted him."[34] He failed to see the Netherlands in their political relations to other European countries. In his first great purpose of extirpating heresy at any cost, he did not take into consideration the forces that were working against him. "Religious unity had been entirely destroyed in the northern and western countries of Europe. The Scandinavian States were wholly Lutheran. Protestant princes held power over the greater part of Northern Germany. Even in the hereditary states of the House Austria, the emperors found their authority enfeebled by a nobility deeply infected by heresy. The doctrines of false reformers had divided Switzerland. England for a too brief time restored to her old faith under Mary Tudor, was soon again enslaved by a State religion under Queen Elizabeth. France was still, as a whole, true to the religion which had made her so fair, although even she had been tainted by heresy, which under a succession of feeble sovereigns, was destined to dim her glory and to weaken her position for a time in Europe. The two westernmost peninsulas of Southern Europe were almost free from heretical influences. The cold Protestantism of the north, with its bare churches and ceremonies, could not thrive in the sunshine of the south, with a Catholic population as warm in their faith as the clime in which it dwelt."[35] England and Germany gave material aid to the heresies of the Low Countries. Elizabeth saw that to aid the heretics against the defender of

34 HUME, *Philip of Spain*, p. 4.
35 *The Month*, Vol. XXXVI, 1879, p. 205.

Christendom was the surest way to establish supremacy on the sea. The power of the Turk was another obstacle to Philip's success in his struggle with heresy. The one ally he had—France—could not be depended upon, for the old enmities still existed between France and Spain. To conquer Philip II, then, was to bring about the downfall of Catholicism and the temporal power of the Church. And when that was accomplished, the greatness of the Spanish monarchy was at an end. The Netherlands, being the weakest part of the Spanish possessions in Europe, was the most vulnerable point of attack.

The country was already infected by heresy. Its geographical position favored the spread of false doctrine. To a people ready for revolt against their prince, the restrictions imposed by him to prevent further infection were regarded as contrary to their liberties. There were leaders in the provinces shrewd enough to see the use they could make of the religious question to gain their own ends in political affairs. Neither Philip nor his father handled the question of heresy skillfully. Their measures served only to aggravate it; and Philip's policy in the Netherlands brought matters to a crisis.

It was evident from the beginning of his reign that there was no sympathy between Philip and his new subjects. Even at the time of his first visit to the Netherlands he had not made a favorable impression on the people. He was never at home except in the company of his Spanish courtiers, who were so different from the Flemish nobility. Charles V had repeatedly warned his son that the counsels of these flatterers would one day cost him the Low Countries. Philip's haughtiness and reserve were in marked contrast to the free and easy manner of his father, who was before all things a Fleming. Charles V was at home in the Netherlands. He spent his happiest days there. Philip II was a foreigner, and could not leave the Netherlands soon enough. Charles consulted the Estates-General, and discussed with them the interests of the people. He respected, to some extent at least, their ancient privileges. Philip's last injunction to his sister, the Regent, was on no account to call a meeting of the National Legislature until he should return to the country. The Netherlands henceforth would be ruled by a foreigner and his council, residing in a foreign country, facts

which were sufficient proof that the ancient charters of liberty, so highly prized by the people of the Netherlands, were not even considered by Philip II.

He failed to take into account the difference in character in his northern and southern subjects. Spain was an isolated country. The Netherlands were in the very heart of continental Europe. The history of the people of the Low Countries had been one long struggle for autonomy. Despite the repeated attacks on their liberties, they never gave up the struggle for self-government. Both nobles and common classes tried to maintain their privileges. In Spain, the case was entirely different. The victory of the monarch had been complete. Charles V broke down the authority of the nobles. He crushed the liberties of the commons in their last great struggle for their rights at the battle of Villalar (April 23, 1521). Without nobles, without Commons, the ancient national assembly of Spain, the "Cortes," could do no more than present petitions and occasionally raise a voice of remonstrance. It had lost the power to redress abuses. "All authority was vested in the sovereign. His will was the law of the land."[36]

If Philip II was King of Spain, he was not King of the Netherlands. He was only duke, count or lord of the various provinces. But he determined to rule his new subjects as he ruled the Spaniards, with an absolute sway, and by the same absolute means. His first interview with the Estates-General, which he convoked for the purpose of introducing the new Regent, Margaret of Parma, should have convinced him that this could not be done. The difference in character of the two nations must have been brought home to him when his subsidies were refused, unless he withdraw the Spanish forces from the Netherlands. "The royal ear had been little used to this strain of invective from the subject. For it was rare that the tone of remonstrance was heard in the halls of Castilian legislation."[37]

Philip II gave his Regent minute instructions regarding the government of the provinces. Having a mind for microscopic detail, very little was forgotten. His limitations to her jurisdiction show that he himself intended to rule the Netherlands

36 PRESCOTT, *History of the Reign of Philip II*, Vol. I, p. 146.
37 PRESCOTT, *op. cit.*, Vol. I, p. 399.

from his court in Spain. The Council of State, the Privy Council and Council of Finance were retained as in the time of Charles V, but no decisive step was ever taken without the permission of the sovereign and his royal council at Madrid. Here, the affairs of the Low Countries, as of the other provinces, were finally settled, and to this assembly no Fleming was ever admitted.

The revolt in the Netherlands, then, is in the first place, a political struggle between a free people and a ruler who would have unlimited power. For "It is not to be doubted but the liberty which people have long enjoyed, if it be intrenched upon or invaded, will cause insurrection. Nor is it unknown that the government of the Low Countries came very near the form of free cities, by the indulgence of their princes, who had made them by many and liberal charters, though not absolutely free-States, yet more than common subjects."[38]

And these "more than common subjects," during the reign of Philip II served the purposes of a discontented nobility in the Netherlands. The ambitions of the noble aristocracy were thwarted under the ruling hand of a Spanish monarch; and both Spaniards and monarchs were odious to the nobility in the Netherlands. The nobles conspired with the Commons against their prince, not that the interests of the common classes might thereby be promoted, but that the private interests of the nobility might be secured. Many, among the poorer classes, were through ignorance, led astray by the heretics, who warned them that the King's aim was to destroy their liberties. All then joined forces to resist lawful authority. It was a nobleman, William of Orange, who prompted the people of the Netherlands not to suffer the remainder of the Spanish soldiery in the Netherlands. The subjections to the new bishoprics came likewise from the lords, who "were aggrieved that bishops should come in place of abbots, because being a degree higher, they would be far more potent, and therefore it would not only derogate from the lords temporal, but also from their liberty. Nor should they dare to speak freely in the great Council of Estates when those men were present."[39] The nobles spread among the people rumors of the introduction into the Low Countries of the Spanish

38 STAPLETON, *Strada's Low Country Wars*, Bk. II, p. 28.
39 STAPLETON, *op. cit.*, Bk. I, p. 29.

Inquisition. The Common classes were aroused to opposition to the edicts of Philip II, and these, the very laws sanctioned by the Estates-General in the days of Charles V. Heresy could never have made such progress in the Low Countries had it not been for the assistance and protection of the nobility. Private hatred between the Spanish lords and the nobility of the Netherlands soon grew into open enmity and finally brought about the public ruin.

In the beginning of Charles V's reign, the nobility of the Netherlands governed. They had the first places at court; the highest commands in the army were theirs; many of them were held in special favor by the emperor. They were satisfied as long as this policy was continued. But when Philip II came to rule, there was a decided change in favor of the Spanish nobility. The nobles of the Netherlands thought the king was indebted to them for their valiant services during the wars with France. They were not pleased with the places bestowed on them by the new ruler. They complained that the Spaniards had all the power with the king; that all important business concerning the government of the Netherlands was transacted with Alva, Ruy Gomez, and Count Feria, Philip's only cabinet councillors; that the Netherland nobles were admitted to the Council-Board to pass measures already concluded by the Spanish Council. This was not in keeping with the Emperor's promise of his son's bounty, nor what was due to their fidelity and service. To have foreigners in control of their affairs, and to be considered inferior to the Spaniards was beyond the endurance of the Netherland nobles. To rid themselves of this tyranny was their first object rather than the triumph of heresy, which ultimately accomplished that end.

The heretics turned this state of affairs to their own account in the Low Countries. Money was needed by the impoverished nobles who found it difficult to maintain themselves on an equal footing with the wealthy Spanish lords. The heretical leaders promised money in abundance, especially to the governors of the provinces in order that they might avoid banishment or execution. Thus the nobility sacrificed the public good for their own private interests. The Duchess of Parma was then deprived of the loyalty of those who should have been her support. Her

cabinet council, as organized by Philip II, was of the true Spanish type, at least in its methods of procedure. It was dominated by the influence of Cardinal Granvelle.

Anthony Perrenot, better known in history as Cardinal Granvelle, was a Burgundian by birth. Under Charles V he was a member of the great Council of the Empire and of the Low Countries. When the Emperor resigned, he recommended Granvelle to Philip II, who appointed him chief minister and adviser to the Regent in the Netherlands. "It was a difficult position to fill at any time, and under the circumstances of the times, it was impossible to hold it without becoming the object of suspicion and of hatred."[40] The people hated him, because he was the representative of an unpopular monarch. Their minds had been poisoned against him by the nobility, who were jealous of the power of the minister. The Regent, influenced by the enemies of Granvelle, grew to hate him as one who was in reality her master. And even Philip II, himself, when he finally recalled Granvelle from the Netherlands, yielded to base suspicion of his loyalty rather than to the demands of those who denounced his faithful minister. "All the mistakes, all the acts of severity committed by the government, were made to appear in the people's eyes as the acts of the Cardinal alone. Yet his correspondence is full of persuasive arguments in favor of milder and wiser measures than the rigorous ones of Philip."[41] "Granvelle desired only the welfare of the King and of the State he represented and was heroic enough to assume the responsibility of the drastic measures taken by his sovereign. He was a man of real political genius, clear-sighted, absolutely unselfish."[42] Granvelle's most dangerous foe in the Netherlands was William of Orange, who succeeded in turning nobles and commons against him. The minister's political genius would have been the best instrument to frustrate Orange's ambitious designs. The dismissal of Granvelle was a triumph for this nobleman, but likewise "an act of folly and weakness on the part of the monarch for which both the sovereign and his subjects subsequently paid dearly."[43]

40 *The Month*, Vol. XXXVI, 1879, p. 475.
41 *Ibid.*, p. 476.
42 VAN DER ESSEN, *op. cit.*, p. 104.
43 *The Month*, Vol. XXXVI, 1879, p. 477.

William of Orange, a descendant of the princely house of Nassau, was a favorite of Charles V, who took him away from his father, a Lutheran, and confided him to the care of his sister, Queen Mary of Hungary. He became Lieutenant-General of the Netherland troops at the age of twenty-two. He had the full confidence of the Emperor, who honored him with diplomatic, as well as military distinctions. His real character was questioned by some from the very beginning of his career; and there were those who warned Charles V that Orange was not such as he pretended to be. But those opinions only confirmed him in the Emperor's favor. Orange, however, had not devoted his time and talents to the interests of the House of Austria for nothing. Only the control of the seventeen provinces would satisfy his ambitions. The appointment of Margaret of Parma to the regency of the Netherlands was a crushing blow to him. Frustrated of his hopes to govern the Low Countries, and perceiving Granvelle to be the great man at the Court of the Duchess, he resolved to maintain his greatness by some other means. Provoked by new indignities, he resolved to carry out what he had long since designed: to weaken Philip's government; to overthrow Spanish power, to encourage the heretical party. In short, to advance his own authority at any cost. No other man could have done more to further the royal cause and uphold the authority of the King than Orange. But his proud and ambitious spirit ruled him, and the talents he might have used for his country's good served only to bring about its ruin. As for his religious opinions, they depended altogether on circumstances. A Lutheran with the Germans, a Calvinist with the French, he changed his creed to suit his needs.

"He was a remarkably keen observer of man and things, naturally timid and calculating, ambitious, but not sanguinary or violent. He was extremely insincere, and as clever as Philip wished to be and was not."[44] Not a letter or dispatch was sent out by the king of Spain that Orange had not full knowledge of. He had in his employ at the Spanish Court a spy who kept him well informed of the discussion and settlement of Low Country affairs by Philip and his Council at Madrid. Both Orange and the king were men of few words, but the former was as active

44 *Dublin Review*, Vol. 30, 1878, p. 365.

as the latter was inert. And Philip's delays, while they were often purposive, on his part, were always utilized by Orange in the Netherlands.

REGENCY OF MARGARET OF PARMA

Margaret of Parma was regent in the Netherlands from 1559 to 1568. Her position was not an enviable one. She found it difficult to obey her royal brother and at the same time meet the demands of the lords. She was, besides, extremely fond of power, and crooked in her dealings and policy. She had hoped to add materially to her power by the removal of Granvelle; but the real power in the Netherlands—the nobility then began to assert itself. Orange, Egmont and Horn were the leaders. The Regent was completely under their influence. These hoped now to succeed with their policy of opposition to Spanish rule.

"They asked that all affairs be subject to the control of the Council of State, the real national body of which they themselves were the masters; that he" (the king) "should convoke the States-General, and that he should temper the 'placarts' against the heretics and abolish the power of the Inquisitors. The granting of the first of these demands would have made the nobles all-powerful in political affairs. From the second measure —the meeting of the States-General—they expected the ratification of their conduct and popular support of the opposition they had inaugurated."[45] For Philip II to yield to such demands was practically to give up his control of the Netherlands. For William of Orange, it was the one thing needed to enable him to eventually attain supreme control himself. Philip, therefore, rejected these demands. Orange then turned his attention to sectarian troubles as his next expedient. He had not much trouble in fomenting discord; for in January, 1565, the publication of a new edict for the punishment of heretics aroused the bitterest opposition among all classes. Many of the leading cities of the Netherlands, among them Louvain, Antwerp and Brussels sent petitions to the Governors for the repeal of the edict. Brabant succeeded in evading it; and encouraged the other provinces in their resistance. Armed opposition was threatened in various parts of the Netherlands. These rumors reached the

45 VAN DER ESSEN, *op. cit.*, p. 107.

regent, with the additional information that the aid of the heretical party in France, England and Germany had been solicited by conspirators in the Netherlands. She notified the Spanish embassadors in these countries that a conspiracy was on foot in the Netherlands in which heretical leaders, from the countries to which they were accredited, were implicated. Messengers were sent to Philip II to entreat him to come to the Low Countries himself to settle the dispute, but all to no purpose. No help was to be expected from him. Now deprived of the protection of the Spanish soldiers, who had been sent out of the country, and needing the counsel of the faithful minister, Granvelle, her position was critical. She realized now that she had been merely the tool of the Council of State in bringing about Granvelle's dismissal. She called a meeting of the governors of the provinces, the Knights of the Golden Fleece and the lords of the Privy Council, not so much, as Strada says, "to hear their advices as to sound their affections; and lest they might turn her enemies, whom she did not *acknowledge* to be her friends."[46]

There was no agreement of opinion among them as to the course to be pursued. Orange took the occasion to complain of the king's treatment of him and the others followed suit. It was an opportune moment for them, as the king now needed their services. The principal subject of dispute was the admission of a band of five hundred armed conspirators, headed by Count Brederode—an insignificant noble in the employ of Orange—into the city of Brussels. Their object was to secure redress of grievances from the governess. A decision of the Council was finally reached, and they were allowed to enter the city, but unarmed. Through fear of resistance, the Duchess granted them an audience. She knew the strength of their position, and her own helplessness to oppose them. She had no general to put in the field in case of war, for Egmont, the hero of the battles of St. Quentin and Gravelines had refused to draw his sword for any man for the Inquisition or the Edicts. She could not trust Orange. The rest of her Council lacked either loyalty, ability or both.

Her distrust of Orange in the present instance was well founded. He controlled the movements of this rebellious band,

46 STAPLETON, *op. cit.*, Bk. V, p. 102.

among whom was his own brother, Louis of Nassau. This was the assembly named by Count Berlainont, President of the Council of Finance, the "Gueux," a name which the faction afterwards adopted. Orange, at least, was a party to the future movement of the "Gueux." Whatever unity of action there was among them was due to his wise counsels.

The admission of the rebels into Brussels proved to be a dangerous concession on the part of the Regent. Their number increased, and with it, the boldness of their demands. Led by the nobles, they had the Regent at their mercy. From Brussels, the party extended its influence to Antwerp, Guelders, and other populous districts of the Netherlands. No better situation could be found for the spread of heresy. Thousands of heretics, Anabaptists, Calvinists and Lutherans flocked into the Low Countries from the surrounding towns. Law and order were gone. The provinces were given over to pillage and violence. The Image-Breakers swept through the Churches, destroying everything most sacred and beautiful. Terrified by the condition of affairs the Regent agreed to allow the sectaries to preach, and abolished the Inquisition. She had repeatedly warned Philip II of the dangers. He promised to come in person to the Netherlands. He feigned preparations for a hasty departure from Spain, but he had no intention of carrying out these plans. And Orange was well aware of his movements and intentions.

Towards the close of 1566, Orange for the last time defended the cause of Philip II when Antwerp was threatened with a general massacre by the Calvinists. He rebuked the mob for their fanaticism and succeeded in restoring order. With the capture of Valenciennes in May, 1567, another crisis in the history of the Netherlands was reached. Had Philip only handled the situation differently, or allowed others freedom to do so, there might have been no further "reign of terror" in the country. "Everywhere the Protestants submitted. The country was tranquilized, the Churches were restored, and the Regent was triumphant when she heard to her indignation that the Duke of Alva was coming to enforce the King's authority in the Netherlands with 10,000 men."[47]

47 *Dublin Review*, Vol. XXX, 1878, p. 373.

Before sending Alva to carry out his policy of revenge in the Low Countries, Philip II consulted his Council at Madrid, that he might know their opinion. Ruy Gomez and the Duke of Alva were the most influential members of the Spanish Council. The latter advocated arms and revenge as the only means by which to uphold royal authority and the honor of religion in the Netherlands. The former showed greater political wisdom. He warned Philip II that it was unsafe to exasperate the Low Country people with an army and thus incite the dangerous assistance of their neighbors, the heretics. "That the fire of Civill War is carefully to be watched, especially in such a place where they are neere, that feed the flame, and they farre off that must extinguish it;"[48] that the people of the Netherlands could be led, but not driven. Under pretense of going to the Netherlands for the express purpose of establishing peace, Philip II ordered the Duke of Alva to precede him with an army, "not to affright the Obedience or Peace of his Subjects with those Armes, but to use them as a Guard and Ornament to the Prince."[49] Alva journeyed to the Netherlands by way of Italy, where he received reinforcements from the Spanish garrisons at Naples and Milan and an Italian force besides. With this well equipped army, he entered Brussels in state on the 22nd of August, 1567.

Of all the Spanish nobles, none was so unpopular in the Low Countries as the Duke of Alva, who "knew only two weapons, the sword and the stake."[50] He was no stranger to the Flemish nobles, who had fought with him in the Italian wars of Charles V. Like Granvelle, he was a staunch supporter of the royal policy, and exercised considerable influence at the Court of Spain. "He was invested with the title of Captain-general, and in that capacity was to exercise supreme control in military affairs."[51] "By another commission, dated two months later, the country was declared in a state of rebellion; and as milder means had failed to bring it to obedience, it was necessary to resort to arms. The duke was therefore commanded to levy war on the refractory people and reduce them to submission. He was moreover to inquire into the causes of the recent troubles, and bring the

48 STAPLETON, *op. cit.*, Bk. VI, p. 23.
49 STAPLETON, *op. cit.*, Bk. VI, p. 25.
50 VAN DER ESSEN, *op. cit.*, p. 109.
51 PRESCOTT, *op. cit.*, Vol. II, p. 148.

suspected parties to trial, with full authority to punish or pardon, as he might judge best for the public weal. By virtue of a third commission, he was invested with supreme control in civil as well as military affairs; and persons of every degree, including the regent herself, were enjoined to render obedience to his commands as to those of the King."[52]

ADMINISTRATION OF ALVA (1567-1573)

It was now time for Margaret of Parma to ask to be relieved of the regency, before she was dismissed by the king. She could not approve of Alva's policy towards her subjects to whom she was sincerely devoted. She would not have the odium of his tyranny rest on the House of Austria.

She knew that the quiet which Alva apparently restored by means of his army, was not lasting, and wrote to Philip II: "Terrour is not the way to beget reverence in the Low-Countreymen. They that advise this rigid course will purchase Spain more Envy than Authority. I am sure, it will bring to the Low Countreys, first Civill Warre, then Forreine Forces, and finally Desolation."[53] This was important counsel on the part of the regent, as it shows a clear understanding of the situation in all its bearings; that though she herself was of the House of Austria, she had at heart the interests of Spain; and important especially in this, that her prediction was verified in the subsequent history of the Netherlands.

Alva, on the other hand, had nothing but military prestige, a qualification which was subordinate to the statesmanship in the present disturbed condition of the country. The interests of his King, not those of the Netherlands, were important in his judgment. The manner in which he went about the organization of his council, his disregard of the existing forms of laws to suit his own ends, to say nothing of the violent measures to which he had recourse, are all evidences of his incapacity for his office of Governor-General.

He organized a Council of Troubles, to take the place of the existing tribunals, which he found incompetent for his work. The sole purpose of this tribunal was to investigate the causes of

52 PRESCOTT, *op. cit.*, Vol. II, p. 149.
53 STAPLETON, *op. cit.*, Bk. VI, p. 36.

the recent disturbances, and to bring the authors to punishment. It is better known in history as the Council of Blood. It was composed of twelve members, among whom were two lawyers, Del Rio and Juan de Vargas, who had accompanied the duke from Castile, and who were completely under his influence. Besides these, there were several jurists, men who had little use for their talents or accomplishments under Alva. All the sessions were held in the duke's palace. Neither law nor order marked the proceedings of the assembly. Before long, the number of members was reduced to three or four.

Warrants were issued for the arrest of many of the leading nobles, among them, Orange, Egmont and Horn. The first had anticipated this and sought safety in Germany. His companions were not so fortunate. They were taken prisoners while guests of the Duke of Alva. It is a noteworthy fact that men of wealth were the most desirable victims of the persecution, as confiscation of property was a frequent penalty. The execution of Egmont and Horn aroused the greatest indignation throughout the country and a sense of dread that the reign of terror would be perpetual. It has been said that by the death of Egmont, the confederates, as the rebels were called, firmly established themselves in the Netherlands. Nothing did more to further the designs of William of Orange, unless it be the imposition of taxes, at which point, all united to oppose such injustice.

The Prince "cleverly took advantage of it, and needing the help of the heretics to fight the enemy, gave the direction of the movement into the hands of the Calvinists."[54] "Then the Prince of Orange knew his time was come for maturing a rebellion; and founding of that Government which he had long designed. Therefore whilst Alva fixt all his Care upon raising the Taxes, the Prince of Orange laid hold of the opportunity to draw the people from their obedience to the King; and encouraged by the secret Intelligence which he had with many Townes, ready to revolt, levied Soldiers at his leïsure; and kindled such a fire of Warre in the Low Countreys as for so many yeares space could never be put out with the ruines of battered Cities nor extinguished with a torrent of bloud."[55]

54 VAN DER ESSEN, *op. cit.*, p. 111.
55 STAPLETON, *op. cit.*, Bk. VII, p. 71.

Orange now planned a tripartite invasion of the provinces. The German auxiliaries were to enter the Netherlands from the east; his brothers, Louis and Adolph, in the north; while the French were to attack the south. All were ultimately to join forces, and drive Alva and his Spaniards from the Netherlands. The plan of the campaign is worthy of note, in that it showed where the strength of Orange's position lay, and on whom he could depend, for the time being at least, to aid him in resisting the authority of the king. The Protestant princes of Germany were now arrayed against the Catholic House of Austria. The French still clung to the hope of establishing themselves in the Netherlands. In the north, the independence of the people had always been maintained. Here, the old Roman form of government still existed. There were no taxes levied on the people. "They were antiently exempt from all Taxes and Contribution."[56] William of Orange had little difficulty in maintaining himself against the king, for the sovereignty of Charles V and his successors had been only a nominal one in the north.

His work in the north was successful owing to the operations of the Water-Gueux. The idea of organizing a fleet at the north was suggested to him by Coligny, the French Calvinist leader. But while his naval forces were victorious on the seas, the Spaniards had the advantage on land. Of the three divisions of his army, the eastern was completely routed; the southern was forced to retreat; and Louis was defeated at the north.

The war was continued throughout Alva's regency (1567-1573), and was marked by excesses on both sides, and heroic bravery on the part of the oppressed people to whom both Orange and Alva were now odious. The former, by his ambition which now began to make itself manifest to all. As Strada says, even the heretics, in their own annals confess that the Prince of Orange's men were infamous in the Low Countries; and he himself, who was thought at first to have taken arms for protection of the Netherlands against the tyranny of Alva, grew to be generally hated. The people complained that they had fallen into the hands of a multitude of tyrants.[57] Alva had made himself thoroughly hated by his cruelty and his determined efforts to enforce the

56 STAPLETON, *op. cit.*, Bk. VII, p. 70.
57 STAPLETON, *op. cit.*, Bk. VII, p. 75.

collection of taxes. Though the King had not authorized their imposition, he had instructed Alva to raise funds by whatever means he saw fit to employ. He assured him that no money was to be expected from Spain, and ordered him to devise some expedient by which the consent of the Estates-General might be dispensed with." And all this with a view to continue the struggle for Spanish supremacy in the Netherlands. Alva had no other interest than the king's.

His conduct in the Low Countries, however, did not meet with the approval of Philip II. The loyal general was beginning to lose the favor of his master. Fearing the power which his enemies in the Spanish Council had at the Court, he resolved to publish a general pardon for the tumults (July 1, 1570). He had received this pardon some months before from the king, but had never proclaimed it. Perhaps his delay was due to the fact that there were so many exceptions to it as to make it ridiculous as a general pardon. "Slight as was its value as a pardon, the act was important, for it marked a point where, at least as regards Philip the Second, the religious struggle ended and the purely political contest began."[58]

However the king's action is again due to the condition of affairs in Spain, and not to any desire to benefit the Low Countries. The Spanish monarchy was now approaching an appalling financial crisis. Spanish credit was at its lowest ebb. "It was impossible to get Spanish exchange accepted in the Netherlands, let alone to send cash from Spain to the provinces."[59] There was nothing left for Philip II to do but to modify his policy in the Low Countries. All his resources were exhausted; his credit gone. His rebellious subjects had successfully resisted unjust taxation, and were soon to recover at least the show of their ancient privileges, owing to the king's want of funds to carry on the struggle.

He was now beginning to understand that he had gone about his task of restoring the royal authority in the Netherlands the wrong way. "A storm of recrimination and complaints, among which the protests of the bishop and the University of Louvain were not the weakest, reached him."[60] He recalled Alva in 1573.

58 *The Month*, Vol. 37, 1879.
59 BLOK, *op. cit.*, Vol. III, p. 93.
60 VAN DER ESSEN, *op. cit.*, p. 111.

The Duke "left behind him a task over which his two successors wasted their lives in vain, and which the consummate ability of Alexander Farnese scarcely could complete . . . in place of a few isolated bands of heretics and rebels whom he found on his entry into the Netherlands, he left behind him on his departure a great national party, composed of men of all creeds, opinions, united by the hatred with which Alva had inspired them."[61]

REGENCY OF REQUESENS (1573-1576)

Don Louis Requesens who succeeded Alva in the Netherlands had been the Grand Commander of Castile. "He was a man of temperate views, and of a character without any definite color. In comparison with one of Alva's temperament and thoroughness, he was a man of peace and humanity."[62] Everyone desired peace, Catholic and Protestant, Spaniard, Fleming and Hollanders, the advisers and tools of Alva, and the friends and adherents of Orange. . . . Requesens, therefore, imagined that the whole of the Netherlands would accept peace on any terms, and if only the nobles had to be consulted, he was probably in the right."[63]

But the common classes had now to be reckoned with. The struggle for the restoration of ancient privileges in the Netherlands had developed in the northern part into a struggle for national independence. Requesens soon realized that the important task for him was to rescue the southern provinces from the power of Orange, who was meeting with remarkable success in the north. It was evident even now that Holland and Zealand were lost to the Spanish Crown. "They were still in theory, subjects of Spain, and they traded with the Spanish possessions. Even to the last, they made war on the Spanish Government, and had commercial transactions with Spanish subjects. In the autumn of 1574, the Constitution of Holland was organized. William was made commander-in-chief; a monthly grant for the expenses of the army was conceded to him, and practically the whole conduct of affairs was conferred on him."[64] With these

61 *The Month*, Vol. XXXVII, 1879, p. 534.
62 BOULGER, *History of Belgium*, Pt. I, p. 323.
63 ROGERS, *Story of Holland*, p. 83 ff.
64 ROGERS, *op. cit.*, p. 86 ff.

advantages over the Governor-General, the outlook for Orange was bright, and the short regency of Requesens, (1573-1575) was characterized by the vigorous efforts of these two leaders, the one to destroy, the other to preserve Spanish supremacy in the Netherlands.

Instead of financial support, political unity and the commercial enterprise of the north, Requesens found a far different condition of affairs. Without funds, without cooperation on the part of the governors of the provinces, with a people almost destitute, he was practically left helpless by his master who had not at heart the interests of these subjects. The one thing in the governor's favor was the lack of union between the northern and southern provinces. The northern quarter was distinctly Protestant; the south had retained its faith. All his efforts were bent on winning back the southern provinces to their allegiance to Spain. Orange and his agents were exerting their endeavors to prevent this. "Nevertheless, the remaining members of the Council of State were impenetrable to the influence which insinuated itself on every side. Incapable of action, they offered at least a passive resistance to the seductions and exhortations of which they were the object. The grand seigniors and high officials bitterly felt the indifference of the king in their regard, but they had a horror of associating themselves with the chief of the rebels against him. Their honor required them to remain faithful to the sovereign whom they represented. Instead of replying to the letters of Orange, they disclosed his intrigues to Philip II."[65]

The king had instructed the governor to use mild measures, and to endeavor to win the people, a difficult task for a Spaniard in the Netherlands. He convened the Estates-General at Brussels in May, 1574, only to meet with determined opposition. He met their demands as far as he could. He abolished the Council of Troubles, and proclaimed a general amnesty which excluded, of course, Orange and his adherents. "Except some aristocratic refugees at Cambrai and Liége, no one had recourse to the general pardon, proclaimed by Requesens, by Philip II's orders. In the change of attitude of the government, there appeared signs of weakness, and the Estates-General responded to it by

65 PIRENNE, *Histoire de Belgique*, Vol. IV, p. 73.

veritable opposition. This was the first time they had asserted themselves for seven years, and their language proved that the Spanish regime was more odious than ever. The sincerity of their words could not be doubted. They respected the King as their natural and legitimate prince, the descendant of Charles V and the Dukes of Burgundy. But their loyalty had not reached the point of passive obedience. The fulfillment of their duties towards their sovereign supposed at the same time, the respect and the maintenance of their privileges and rights."[66]

Philip II, however, refused to make any concessions on the religious question, and the assembly refused to vote supplies unless their petitions were granted. "The governor's appeals to the individual provinces were more effective; at least, Hainault, Artois and Namur yielded, but these concessions availed little in the face of the opposition of Brabant and Flanders."[67]

Requesens then had recourse to negotiations with the rebels. A peace conference was held at Breda in the spring of 1575, at which representatives of Orange and Philip II failed to come to terms. There was to be no reconciliation between these two. Hostilities between their armies had ceased during the negotiations for peace, but were now renewed on both sides. The financial crisis in Spain was most keenly felt in the Netherlands, and Requesens looked in vain for assistance to continue the struggle. "Despairing of help from Spain, he convened an extraordinary assembly of the Council of State, of Stadtholders and of the Knights of the Golden Fleece to obtain their advice on what financial measures should be taken to assure regular pay to the soldiers and thus avoid mutinies."[68] Through fear of the excesses of the soldiers in case of mutiny, the provinces made him a loan of 1,200,000 guilders. This enabled him to carry on the war with renewed vigor, thus interfering considerably with the plans of William of Orange. But his funds were soon reduced, and the soldiers rebelled against their generals. Amidst these troubles, the governor became dangerously ill at Brussels. Feeling that his end was approaching, he nominated Count Berlaymont Governor of the Low Countries; Count Mansfeldt,

66 PIRENNE, *op. cit.*, Vol. IV, p. 53.
67 BLOK, *op. cit.*, Vol. III, p. 88.
68 *Ibid.*, p. 93.

General of the army, the appointment to hold good until other orders were received from the King. The commissions were drawn up by his secretary, but he did not live to sign them, and the government of the provinces was taken over by the Council of State.

The lack of national unity was never more in evidence than at this period when the government was practically in the hands of the people. The Council of State was powerless to take action. The members disagreed among themselves. They urged Philip II to adopt some method of restoring peace, but again his delays defeated his own purposes and served those of his enemy, the Prince of Orange.

DON JOHN OF AUSTRIA (1576-1578)

Philip II chose Don John of Austria to succeed Requesens as Lieutenant-Governor in the Netherlands. The new regent was a native of the country, and the son of Charles V, whose memory was still revered by the people. He had won military fame at the battle of Lepanto. Young and ambitious, the king was not too willing to confide to him the government of the provinces. Nor was the task of restoring peace in the Low Countries altogether pleasing to Don John. He had far greater ambitions, not unknown to the king, and accepted the government of the Netherlands in the hope that it might be a stepping-stone to higher things. He was not a practical man of affairs, but rather an idealist. His very attitude of mind went far to prevent the success of his work. The little he accomplished was due to the wise policy of his councillor Escovedo.

The appointment of the new governor was not officially announced in the Netherlands for some months. Philip II acted on the advice of Hopper, his secretary for the Netherlands, who proposed to leave the management of affairs in the hands of the Council of State for a time. The king hoped that this body would apply such remedies as might restore peace in the distracted country. This was not a wise measure on the part of Philip II, owing to the troubled state of affairs. More harm than good came to the provinces as a result of it. Orange had now an excellent opportunity to secure a footing in the south. Here, the financial difficulties of the king caused mutinies among the soldiers, who

were determined to get their pay somewhere. The people, in their turn, rose up against the Council of State, for its failure to protect them and their property. The Council was powerless to take action because of the lack of unity among the members. As a result, they became the victims of the intrigues of Orange and his agents. The dissatisfaction with the Council reached such a point that the members became the prisoners of the citizens of Brussels where a popular government was set up. Deputies from the Estates of Brabant and Hainault assumed functions of the Estates-General, and before long the other provinces co-operated with them, except Luxemburg and Namur. All were one in the determination to expel the Spaniards from the country. Orange succeeded in pursuading them to set aside all their differences until they had accomplished this. He entered into negotiations with them at Ghent, and the Pacification was signed there on November 8, 1576.

"The articles asserted that the Estates of Brabant, Flanders, Artois, Hainault, etc., together with the prince, the Estates of Holland, Zealand, and their allies made peace and mutually pledged each other to force the departure of the Spanish soldiers. Immediately after this an assembly of the seventeen provinces should be convened in the form and manner of that when the emperor had abdicated in favor of Philip. This assembly should regulate national affairs in general, and the matters of religion in Holland, Zealand, Bommel and Buren. No hindrance was to be imposed on the intercourse between the provinces. All edicts against heresy and Alva's criminal ordinances were to be suspended until the Estates-General ordered otherwise, and the prince was to remain admiral and stadtholder for his Majesty in Holland and Zealand until the decision of the States."[69] These are among the most important provisions, together with a clause relative to the prince's debts resulting from his campaigns of 1568 and 1572. The terms of the Pacification were, in the main, favorable to Orange. He still found it to his advantage to use the name of Philip II in the Netherlands. At the same time that he held himself before the people as the representative of the king of Spain in Holland and Zealand, he was doing his utmost to secure the recognition of the independence of those provinces

69 Blok, *op. cit.*, Vol. III, p. 105.

by other European sovereigns. He carefully avoided the religious question. It would undoubtedly interfere with his plans for the future. In fact, his real object was to make a religious truce. He hoped to secure the payment of his debts, but had always to bear in mind that Alva's tax of the "tenth-penny" was the price paid for his position in Holland and Zealand. His feigned allegiance to "his Majesty" is at least an indication that though the people were anti-Spanish, the majority were not anti-royalist.

Viewed in the light of the general political situation, the Pacification of Ghent is a remarkable evidence of the diplomacy of the prince of Orange. There were in the Netherlands at the time three distinct political parties. He apparently satisfied the demands of all, without really meeting those of any one of them. At the north, his own party, the Orangists, were strong, well organized, and becoming more firmly established. At the south were the royalists, faithful to their king in spite of his misrule. But between these two were the Malcontents, as they were called. They would not tolerate the ruling influence of Orange, nor would they submit to the authority of the king except on certain conditions. The provinces dominated by this party, notably Brabant and Flanders, formed a sort of trade center for the other two parties. And it must be said that Orange and his agent sometimes made as poor bargains there as did the representative of the king. For the allegiance of a people who could be so easily bought and sold did not bring much support to either cause. The three parties were one in their hatred towards the Spaniards. But the party of Orange would not come to terms with the Malcontents and Royalists who were one in faith. The Royalists still saw in Orange the supporter of the authority of the king. The Malcontents could be deceived by making them believe that they were governing the country themselves. Orange exercised his influence over these in such a way that they did not see that he was ruling them. He had nothing to fear from their opposition. He made it work in his favor, as he did everything else. Their interests were so divided that he knew there would be no concerted action on their part against him. Consequently, all three parties were "pacified." The religious question was set aside. The prince made a show of deference to the Estates-General, and allegiance to the king. The ideal of Orange was

hardly that of the government of the Netherlands by the Estates-General, and he was more than the universally acknowledged head of the rebellion. He was the secret force at work to prevent anything like a permanent peace until such time as he would be ready to dictate the terms. He accepted the Pacification because he knew it could not bring peace to the country, since it left unsettled the most vital question of the period—that of religion—he had scarcely brought about this temporary union of the provinces when the new governor arrived in the Netherlands.

From Luxemburg Don John notified the Senate at Brussels of his commission. That body refused to enter into negotiations with him until they had consulted the prince of Orange. He advised them not to admit him until he had confirmed the Pacification of Ghent. Envoys were sent to the governor to make known the will of the Senate. He asked for time to consider their proposals. The dismissal of the forces when the rebels were threatening to unite Orange was a great risk. Besides the troops could not be disbanded until they were paid. And the new governor was too strong in his faith to compromise religion. He could not waive it as the prince had done. All these were points that had to be considered. He put the matter before his trusted councillors, Escovedo and Gonzaga. Their opinion is worthy of note as showing how Netherland affairs in general, were regarded at Madrid, where these men had considerable influence. Gonzaga was a soldier, as may be judged from his counsel. Escovedo was a statesman, whose policy was safer to adopt. Gonzaga would let the people of the Low Countries know that their new governor was the son of Charles the Fifth, less than his father in power, but not in courage; that it was his place to give, not to receive, the law. He warned the governor that even at the Spanish Court, Orange had followers who were more willing to serve the prince than the king. He considered it unsafe to dismiss the Spaniards from the country. Escovedo, on the other hand, pointed out the danger of opposing the people on the one thing to which all agreed. He reminded him of the king's admonition to make peace on any terms consistent with his sovereignty. The impending danger of the loss of all the provinces to the Spanish monarchy called for a most careful handling of the situation. But his most important con-

sideration was his belief that William of Orange did not expect the governor to ratify the Pacification of Ghent. His refusal would be the signal for the revolution against Spanish rule in the Netherlands. Escovedo's counsel carried with Don John.

A modified form of the Pacification was drawn up by the deputies from the provinces at Brussels. "On January 9, 1577, representatives of all the provinces, with the exception of Luxemburg, subscribed to the Act known as the Union of Brussels. They declared that they would unite to assist each other against the Spanish bands with arms, counsel, men and money; they promised to maintain inviolably and for all time union and association. They added, moreover, that they had no other aim than the conservation of the Catholic religion, the fulfillment of the Pacification of Ghent, the expulsion of the Spaniards and their adherents; the obedience due to the king; the maintenance of all the privileges of the country, and, in fine, the welfare and peace of the fatherland."[70] The Union of Brussels would not be accepted by the representatives of Holland and Zealand. These adhered to the terms of the treaty as drawn up on November 8, 1576. "On February 12, Don John signed at Marche en Famène, the Act called the Perpetual Edict. It accorded in the name of the King, a complete amnesty, the removal of the foreign troops and ratified all the clauses of the Pacification of Ghent. But the Estates-General, on their part, had to engage themselves to maintain, 'en tout et partout' the Catholic Apostolic and Roman Faith."[71] The governor imposed only one other condition, viz., that the provinces provide without delay, the sum of six hundred thousand florins. The Belgians accepted this new Pacification without the consent of Orange, and contrary to the wishes of his agents. The prince's religious truce was broken. He was seriously embarrassed in the execution of his plans. But he was not long in recovering the mastery of the situation. The new governor was now the object of his attack.

The last of the Spanish forces left the Netherlands towards the close of April, and Don John made his solemn entry into Brussels, May 1, 1577, amid the rejoicings of the people. The prince's plan now was to undermine the authority of the king's

70 JUSTE, *Histoire de la Révolution des Pays-Bas sous Philippe II*, Vol. II, p. 189.

71 JUSTE, *op. cit.*, p. 190.

representative in every possible way. Yet so little did the new governor know of the character of the man with whom he was dealing, as to entertain hopes of winning him back to allegiance to the king and recovering the northern provinces for Spain. He entered into negotiations with the rebels, only to meet with determined opposition. Orange and his agents spread the report that the Spanish forces were to return to the Netherlands. The nobles became suspicious of him. A general feeling of dislike and distrust was created, which contrasted strangely with the protestations of devotion and loyalty made to him. And all this was the work of Orange, who was determined to force the governor to take action. "Exasperated, disappointed, fearing for his own liberty, Don John, on July 24th, took possession of the fort at Namur, and called together the German troops, to the number of fourteen thousand men, who were then in the Low Countries. William of Nassau forthwith counseled the Estates to take arms immediately, in order not to allow the lieutenant of Philip II time to recall the Spanish, Italian and Burgundian troops."[72] The new governor had decidedly played into the hands of his enemy. His action was variously interpreted by the members of the Estates-General. Some thought the soldier was eager to renew the war. Others saw in it the work of Orange, who was now sent for by the Estates at Brussels. He was made protector of Brabant, by the old name of "Ruwart" of the province. The Brabanters claimed this right of election as one of the privileges of the Joyeuse Entrée, but it was one that had rarely been exercised by the people. There was now open rebellion against Philip II in the person of his representative. But Orange had the advantage in this, that the new governor himself had taken the initiative. Don John, having lost all hope of establishing his authority in the provinces, chose war rather than an unsafe peace. "Under the influence of William the Silent, the Estates-General declared the governor a traitor to the country, and called upon Archduke Mathias, brother of Emperor Rudolphe, to be their new governor. Mathias became practically an instrument in the hands of the Prince of Orange, who was appointed as his lieutenant-general."[73]

72 JUSTE, *op. cit.*, Vol. II, p. 191.
73 VAN DER ESSEN, *op. cit.*, p. 114.

The lieutenant-general was virtually at the head of the government. "But the manner in which he had carried affairs so far, although proving his brilliancy as a statesman, also revealed the difficulties which were in store for him. It was a question whether he could continue to hold the nobles in check, keep the confidence of the populace—his somewhat dangerous ally—and succeed in making Calvinists and Catholics work together."[74] Statesman that he was, he failed to bring about united action on the part of the Catholics and Calvinists. "Ghent became the center of a Calvinistic republic, where the leaders ruled by terror, and began a rigorous persecution of the Catholics."[75] The Malcontents of Brabant and Flanders soon longed for the sovereignty of Don John. A religious war was now in progress. The governor received reinforcements under Alexander Farnese. Though the royalist army was small, it had the advantage of organization, which was lacking among the forces of the enemy. Everywhere the forces of the governor were successful. "Had Don John then had money and the king's confidence, he could have reinstated Philip's authority in the south, but he was without either."[76] Philip II, instead of supporting his governor, ignored him, leaving him not only without funds to carry on the war, but without orders as to what course he should pursue. He, himself, entered into direct negotiations with the States. In the midst of these troubles, the governor died (October 1, 1578). He was succeeded by

ALEXANDER FARNESE (1578-1592)

The new governor of the Netherlands was the son of Ottavio Farnese, Duke of Parma, and of Margaret, sister of Philip II. He was admirably adapted to his task, and the king could not have made a better choice. "Possessing, as he did, extraordinary talent both as general and statesman, he was exactly the man to wrest one advantage after another from Orange, to press him back foot by foot, employing political skill on the one hand, and accomplished military science on the other. . . . He combined the deliberate cleverness of the Spaniard with the diplomatic skill of the Italian. Trained in the art of war and in state craft

74 Blok, *op. cit.*, Vol. III, p. 125.
75 Van der Essen, *op. cit.*, p. 114.
76 Blok, *op. cit.*, p. 129.

as it then existed, he was not filled with the chivalrous ideals and fantastic dreams of fame like his predecessor."[77]

There were many powerful and popular currents in Farnese's favor: the excesses of the Calvinists; the opposition of the nobility to Orange; the hesitation of many of the leaders of the Malcontents, who were at least united by the bond of faith, no matter what their political differences were. Orange had reason to fear the alliance of the provinces of the south in favor of Spain, owing to the growing antagonism between Catholics and Calvinists. The policy of the new governor was meeting with success. "Farnese was the most dangerous opponent whom Prince William had encountered. Had the king given him a free hand, Orange would have been forced to yield."[78]

Fearing the influence of Farnese in the north, and hoping to reach the goal of his ambition—to be independent sovereign of Holland—Orange brought about the final secession of the northern from the southern provinces by the Union of Utrecht. He accomplished the work through the agency of his brother, John, stadtholder of Gelderland. The pact was signed on December 6, 1578, by representatives of the provinces of Gelderland, Holland, Zealand, Utrecht and Friesland, and afterward by Groeningen and Overyssel. Calvinism became the state religion, and clauses in the earlier union favorable to Catholicism were annulled. The Union of Utrecht marks the final separation between the present kingdoms of Holland and Belgium. The next step for William the Silent was to secure an ally, ostensibly to aid the Netherlands in their struggle with Spain, but in reality to secure French aid for his independent Netherland State. He entered into negotiations with the Duke of Anjou, but before he had time to come to a definite agreement, Farnese concluded the Union of Arras, May 17, 1579, which ultimately saved the ten southern provinces to Spain. This was the first diplomatic triumph of the new governor in the Netherlands. It proclaimed the maintenance of the Pacification of Ghent, the Union of Brussels and of the Perpetual Edict; and granted a general amnesty. Six weeks later, before the publication of the treaty all the soldiers, Spanish, Italian, English, Burgundian and other foreigners, "not

77 Blok, *op. cit.*, Vol. III, p. 140.
78 *Ibid*, p. 141.

agreeable to the States," were obliged to leave the country and were replaced by a national army.

The struggle now resolved itself into a contest between Catholicism and Protestantism, with Farnese and Orange as leaders. The prince renewed negotiations with Anjou, much against the wishes of the Calvinists. But with an enemy of Farnese's type, the northern provinces could not long retain their newly-won independence unless Orange secured an ally, and that ally was Spain's enemy. Accordingly, by the terms of the treaty of Plessis-les-Tours, September 19, 1580, the Duke of Anjou was made "prince and seigneur" of the Netherlanders, as his predecessors of the house of Burgundy had been. Archduke Mathias was dismissed. Orange had at last secured French aid for an independent Netherland State. In a secret treaty with the Prince of Orange, Anjou agreed to compensate William for the outlays of his campaigns of 1568 and 1572, and recognized Orange and his lineal successors as sovereigns of Holland, Zealand and Utrecht. The same year, 1580, Philip II issued an Edict of Proscription against the prince and a price was set on his head. It was now time for William of Orange and his adherents to throw off all allegiance to the king of Spain. In July, 1581, the Estates-General in session at the Hague deposed Philip II, and accepted the sovereignty of the Duke of Anjou "over the major part of the land,"[79] which meant all the Netherland provinces except Holland Zealand, where Orange's authority was secure. With an opponent like Farnese, the Prince knew that the Duke of Anjou would have very little of the major part of the land. Besides, the Duke could occupy the time of Farnese in fighting while the prince was taken up with affairs of greater importance. As matters were arranged, the Duke's sovereignty was only nominal. Orange was the ruler, as he had been under the Archduke Mathias. The new governor soon realized the insignificance of his position in the Netherlands. He attempted to free himself from the dependence upon the Estates-General and the prince of Orange. While William was preparing for an offensive attack on Farnese, his ally was getting ready to assert his own authority in the Low Countries by force of arms. On January 17, 1583, the French under Anjou made an unsuccessful

79 Blok, *op. cit.*, Vol. III, p. 152.

attack on Antwerp. Soon after this, he left the Netherlands for good. Even after the treason of Anjou, Orange still believed that effectual aid against Spain could be looked for only from France. Again, he renewed negotiations with Anjou, but the French duke died before the new plans were carried out. The prince did not long survive him. He was assassinated by Balthassar Gerard on July 12, 1584.

"Meanwhile supported by the Catholic provinces, Alexander Farnese had successively reconquered all the Belgian cities, and won an imperishable fame by the siege and conquest of Antwerp."[80] But Philip II, by an unwise foreign policy, seriously hindered his government of the Netherlands, as well as his military operations and prevented the reconquest of the northern provinces. He undertook two great enterprises, the capture of England from Elizabeth, and the conquest of France, at that time ruled by the Protestant king Henry IV. Farnese was forced to discontinue the war in the Low Countries that he might aid the Catholic League of France in their struggle with their king. Both of these undertakings were a failure. Netherland affairs had been neglected because of these interests, and as a result, the northern provinces were irreparably lost to the Spanish Crown.

Farnese shared the fate of his predecessors in the Netherlands. He lost the confidence of Philip II even at a time when he was astonishing all men by his genius and fidelity to the king. "Without resources, either in the country which he held and governed, or from the King of Spain, either, with soldiers mutinous and starving, he still kept an undaunted front and a loyal purpose."[81] He died in 1592. He was the best governor the Netherlands ever had. Though always devoted to the interests of the king, having no personal ambitions, Farnese none the less received from Philip II only ingratitude for his loyalty.

Philip II's rule in the Netherlands brought about the separation of the northern from the southern provinces. But that process of separation, though completed by the revolt against Spanish rule, was begun centuries before, and was modified by the influence of each succeeding period of the country's history.

80 Van der Essen, *op. cit.*, p. 118.
81 Rogers, *op. cit.*, p. 157.

The northern tribes had always preserved their primitive spirit of independence. Owing to their more isolated position they had not experienced so many vicissitudes as the southern people. Border disputes kept the south in continual turmoil and prevented anything like unity among them.

In the feudal period, when local authority was supreme, and nobles were ambitious, the provinces of the south were usually arrayed against each other, and internal political weakness was the result. With the growing commercial activity and the increasing power of the middle class, came the rise of the Communes, when money became the most important consideration. The nobles needed it. The people were willing to supply that need, provided they received the desired remuneration — an increase of liberty, an extension of privileges, and, practically speaking, complete independence of any higher authority. Throughout the period of the Communes, England, France and Germany sought to exercise control in the Netherlands and took advantage of these internal struggles. But the tendency towards consolidation and the further development of political autonomy prevented any lasting foreign influence.

This work of consolidation had its beginnings under the Dukes of Burgundy. But the union they brought about was nothing more than a great overlordship, to which a more powerful lord might eventually lay claim. The first step towards the consolidation of their power in the Netherlands was to attach the nobility to themselves, and unite the nobles by a shrewd political move. If the nobles could be united, they would not wage war against each other. Court life did the rest. It robbed the nobility of their former spirit of independence and bound them to the Dukes of Burgundy. The effects of the measure were felt in the Netherlands during the reign of Philip II, but even then, the want of unity between the north and the south is evident. For, to the nobility of the north, independence was worth more than court favor. When Philip the Fair married Joanna of Castile, he introduced a third faction—the Spanish nobility—whose presence in the Netherlands was always a source of trouble. Charles V, by his continual wars, kept all the noblemen attached to himself, and held out to them hopes of greater ambition. The

disappointment of these hopes was the principal cause of the revolt against Spanish rule.

At the time of the abdication of Charles V, the Netherlands needed a ruler who combined in himself the qualities of a statesman and the soldier, and who had at the same time an interest in the people. Philip II possessed none of these qualifications, nor did he ever recognize them in others. Margaret of Parma was his father's choice, not his. Her successors were chosen with a view to further Spanish interests, not those of the Netherlands. By limiting the authority of the Duchess, and ignoring the authority of Don John of Austria, he left the country at the mercy of factious nobles. All the regents, with the exception of Alva, were unwilling victims of his blind policy. The Duke succeeded in obeying his royal master so well that he had to be removed from office. How little his policy of revenge availed in the Netherlands is seen from the fact that the people he brought to submission by force of arms refused admission to Don John of Austria until he had promised to satisfy their demands. A climax is reached towards the close of Alva's reign when the king began to realize that the policy in the Netherlands was a failure. But the measures he took to restore peace were a greater failure. Up to this time, he would make no concessions. Throughout the remaining regencies he made many that were injudicious. Too great indulgence after excessive severity wrought serious harm to his subjects in the Netherlands. Spanish authority suffered greater losses during the regency of the Council of State, prior to Don John's arrival, than it had during Alva's reign of terror. The golden chain that bound the nobles together under the dukes of Burgundy was broken. There was no longer court favor, and nothing to be gained by union to those who had never known what national unity was.

The history of the revolt of the Netherlands presents a curious reversal of aims on the part of the king and his subjects. Philip II began by endeavoring to suppress heresy. But before the close of his reign he was ready to make concessions to the Lutherans if they would support his candidacy to the Empire, an indication that dynastic aims had taken first place. The people began their struggle for political rights. Led on by those who were working for their own private interests, rather than

the general welfare, the people took sides, at one time with the rebels, and at another with the royalists. Only when it became clear to them by the Union of Utrecht (1578), that they were fighting for their faith, did they take a decided stand. Loyalty to the Catholic faith united the southern provinces as no other bond could do, and the Treaty of Arras (1579) was as much the triumph of faith as of Alexander Farnese. Catholicity may be said to have saved Belgium to the Spanish monarchy in spite of Philip II. For his attitude towards the people, his relations with the Estate, his treatment of the regents, his utter lack of ability as a statesman, are evidences that he was his own worst enemy in the Netherlands. Spanish rule in the Netherlands under this son of Charles V was a failure from every point of view.

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MISCELLANY

THE CAPUCHINS (1528-1928)

The fourth secular anniversary of the foundation of the Capuchin Order offers a fitting opportunity of reviewing some of the outstanding services of this Order to the Church. The Order of Capuchins is an autonomous branch of the great Order of Friars Minor founded by the *Poverello* of Assisi early in the thirteenth century. In the lapse of time, the Saint's followers became two distinct families, the Friars Minor of the Observance and the Friars Minor Conventual. The separate existence of the two families was recognized and sanctioned by Pope Leo X, in the Bull *Ite et vos in vineam*, of May 28, 1517.

This first division in the Order was not to end its historic development, for less than a century after the Bull of Leo X, there were a number of offshoots of the Observants, the principal ones being the Reformati, the Recollects, the Alcantarines and the Capuchins. The last named, the only one to be pronounced autonomous by papal action, was sponsored chiefly by the Observants, Matthew of Bascio and Louis of Fossombrone. Due to their personal appeals at the Roman court in favor of a group of friars anxious to restore the primitive Franciscan ideal, Pope Clement VII, on July 3, 1528, issued the Bull *Religionis Zelus*, by which the Capuchin Reform was accorded a distinct entity in the Franciscan Order, with a certain dependence on the Master-General of the Conventuals.

The first Chapter of the Capuchins was convoked at Albacina at which Father Matthew was elected Vicar-General. Owing to his desire to devote his efforts to preaching, he resigned his post after a month into the hands of Louis of Fossombrone. The second Chapter convened in 1535 at Rome, and elected Bernardine of Asti to the generalate. In 1619, Paul V, declared the Capuchins entirely independent of the Conventuals and gave them their own General.

The spread of the Order was marvelous. In little more than a century their monasteries were erected in every country of Europe to the number of 1,335, with 32,821 members. Throughout their history, the Capuchins have distinguished themselves for their missionary labors. The Congregation of Propaganda is a monument to their missionary zeal, having been instituted at the suggestion of the Capuchin, Jerome of Narni, Apostolic Preacher to the Roman Court. Both the builder of the Propaganda College, Cardinal Anthony Barberini, and the first martyr of Propaganda, St. Fidelis of Sigmaringen, were Capuchins.

By the year 1551, the Capuchins have opened missions in Constantinople and ever since, have directed the missions in the Turkish domains. At the request of Pope Paul V, the General Chapter sent missionaries to the Congo, in 1618. Five years later, the Order sent missionaries to Syria, Egypt and Abyssinia. A year later, they extended their labors to Africa. Towards the middle of the seventeenth century, they established missions at various places in India.

In the early seventeenth century, Capuchin friars came to the present territory of the United States. In 1630, Cardinal Richelieu, influenced by his secretary, Père Joseph Leclerc du Tremblay, entrusted the Capuchins of Paris with the missions in New England. In 1722, on the appeal of Louis XV of France, the

Capuchins of Champagne took charge of the mission of Louisiana. Here they were active as pastors in charge of the French settlements at New Orleans, Mobile, Natchez, Natchitoches, Balize, Pointe Coupée, the German Coast, and various Indian settlements. The Capuchin Fathers labored zealously in the missions of Louisiana, which then covered many states, until 1766, when the territory was ceded to Spain. The mission was then transferred to the Spanish Capuchins. The missionary labors of the Capuchins between the years 1722-1766, in French Louisiana, is admirably dealt with in the doctoral dissertation which is volume VII of the Catholic University of America Studies in American Church History, by Rev. Claude L. Vogel, O.M.Cap., M.A., entitled *The Capuchins in French Louisiana* (1722-1766), Washington, D. C., 1928, also published in *Franciscan Studies*, No. 8.

During the Spanish regime in Louisiana, the Capuchin, Bishop Cyril Sieni of Barcelona, visited the mission and took up his residence there as Auxiliary Bishop of Santiago de Cuba. Other outstanding friars of the Order in America include Ignatius Cardinal Persico, who as Bishop was active for two years in Charleston, South Carolina, and later became Bishop of Savannah, Georgia; Theobald Matthew, the preacher of temperance; Rochus Cocchia of Cesinale, who, during his episcopacy in Santo Domingo, discovered the remains of Columbus and Charles Whelan, the first resident priest in New York City.

In the middle of the nineteenth century, two independent Capuchin provinces were established in the United States. The first of these was begun in 1857, at Mount Calvary, Wisconsin, by Fathers Francis Haas and Bonaventure Frey, who came from Switzerland. The second Province was founded at Pittsburgh by friars of the Westphalian and Bavarian Provinces. The commissariats at Pittsburgh and Cumberland were erected into a Province on August 7, 1882.

The following data regarding some prominent Capuchins in American history have been furnished by Father John Lenhart, O.M.Cap., of the Capuchin College, Washington, D. C.

Père Joseph Leclerc du Tremblay of Paris, O.M.Cap., was the first Prefect of the Capuchins in New England. On November 22, 1630, Propaganda in a meeting, presided over by Pope Urban VIII (avanti la Santità), appointed him Praefectus Missionis Capucinorum Novae Angliae in America Septentrionali. This was the first time that Propaganda extended its jurisdiction over a part of the present United States outside of Spanish Florida. This appointment was not solicited by the Capuchins but was the result of the deliberations of Propaganda, of which Congregation, Pope Urban's brother, Cardinal Antonio Barberini, O.M.Cap., was a member. On February 3, 1631, this mission was confirmed and Père Joseph was urged to attend to its proper foundation (Propaganda Archives, *Atti*, vol. VII, fol. 164 and vol. VII, Parte II, fol. 18, and *Scritture Antiche*, vol. 391, fol. 12). Our Church historians trace the establishment of jurisdiction back to the few Indian missions scattered over the Atlantic coast, ignoring the fact that long before these existed, Propaganda had established jurisdiction over New England. November 22, 1630, is the birthday of the American Church and the Capuchin Père Joseph was its first Prefect. The reason for his appointment was due to the fact that he had established a Catholic mission in London on February 24, 1630, and Propaganda, realizing the friendly relations of England and France at the time, regarded him as the most suitable head of the mission. On September 24, 1632, the Capuchin mission of New England was extended northward to Acadia,

and Père Joseph remained Prefect until his death which occurred December 18, 1638. The Capuchins had jurisdiction over New England from 1630 till 1656. Father Ignatius of Paris, O.M.Cap., wrote in his report of 1656 to Propaganda that the jurisdiction of the Capuchin mission extended as far south as Cape Cod in Massachusetts (Propaganda Archives, printed in *Report concerning Canadian Archives* for 1904, Ottawa 1905; and in Bourgeois, *Missionaires de l'Acadie*, Shediac, N.B., 1910).

Pacificus Lescaille of Provins, founder of the Capuchin missions Turkey, Syria, Mesopotamia, and Persia, was appointed Prefect of the Acadian mission on July 2, 1641. On February 14, 1642, Propaganda extended his jurisdiction *ad omnia loca Americae Septentrionalis ubi erant Galli et ad totam novam Franciam* (Prop. Archiv. *Atti*, vol. XV, fol. 29). Although he was Prefect for eight years he never came to Acadia, but labored successfully in the French West Indies. His death is shrouded in obscurity, but most probably he was martyred in 1649, having been devoured by the Caribs. Fr. Pacificus is noted for his *Relation du voyage de Perse* (Paris 1631, Lille 1632, Paris 1645, Paris 1648), a stately tome of 415 pages describing his adventure in the East. In 1646, he published a short *Relation du voyage des Isles de l'Amérique* (French West Indies). He contributed to the progress of Oriental studies in Europe by his valuable collection of Arabic manuscripts which is now in Rome.

Cosmas of Mantes, a priest, labored for about seven years in Maine (1643-1650). In 1652 he was carried off to France by an enemy of the mission. He was "the most distinguished and most experienced of all the missionaries of Acadia," wrote Ignatius of Paris in 1656.

Elzear of St. Florentin, a lay-brother, spent ten years in Maine among the Abenakis (1645-1655), where he was very successful as a catechist of the Indians, and where he made many conversions.

Leonard of Chartres, labored in Nova Scotia from 1649 until 1655. He was the last superior of the Capuchin Mission (the Provincial being the Prefect) and was killed by the British who in 1654 had conquered the country. He is the only Capuchin martyr of North America.

Ignatius of Paris, spent 1646 and 1647 as a missionary at Pentegoet, now Castine, in Maine, and nine years in Nova Scotia until his return to France. In 1656 he compiled a Report on the Acadian mission for Propaganda which is the most valuable source of that mission.

Joseph de Saint-Paul of Paris, went as a missionary to London in 1630, where he labored several years. In 1650 he was sent to Virginia. The length of his stay there is unknown but he died at Paris in 1662.

Joseph of Angers, accompanied Joseph de St. Paul to Virginia in 1650, and the date of his return is also unknown. He died in 1667 in France.

Joseph of Jacca (Spain) and Epiphanius of Moirans (France), came to Havana, Cuba, in 1681, where they established a small Friary. They began preaching against slavery, stating that the negroes who had been sold as slaves were free and that their masters should liberate them with remuneration for what work they had done. Moreover they refused absolution to all slaveholders who would not promise to comply with these conditions. Their action caused a commotion in the colony, and the Bishop's Vicar bade them stop their preaching. The two Capuchins refused to comply with his commands, and thereupon, were sequestered in a Monastery in the city, and deprived of faculties to preach and hear confessions. But even that did not silence them until they were threatened

with excommunication. They lived quietly in the Monastery of St. John in Havana until January 10, 1682, when they became troublesome again. This time they were handed over to the civil authorities and first imprisoned at Havana, later in a Monastery of Cadiz in Spain, and finally in a Monastery at Seville. In 1682 the fathers appealed to Rome. On May 3, 1683, Propaganda decreed that they be sent to Valladolid, where they were to remain ad dispositionem Sanctitatis suae but cum omni libertate. Two years later Father Joseph of Jacca represented to Propaganda that the Spanish officials in America were carrying the Indians away from their homes, making them work in the mines, and mistreating them in every possible way. On January 8, 1685, a similar representation, made by his companion, Father Epiphanius, was considered by Propaganda. In the meeting of Propaganda of March 12, 1685, a long list of abuses committed by the Spanish officials against Negroes and Indians was discussed. This list of grievances is headed: Li padri Capucini missionarii del' America e nell' Africa rapprasentano, but it seems that the men primarily responsible for this document were the two missionaries, Joseph of Jacca and Epiphanius of Moirans. This list comprises eleven questions which are put by the Capuchins to Propaganda for an authoritative decision. Question 2 reads: "Is it lawful to enslave Negroes and Indians and to sell them?" Question 10: "Is it lawful to keep in slavery slaves who had been baptized, even though they had been justly captured?" Question 11: "Is it lawful to buy slaves from heretics and to sell them to heretics?" The answer of Propaganda was: "Ad sanctum officum." And we know nothing more about this affair. (Propaganda Archives, Atti 1683, Fol. 112, Atti 1685, Fol. 29, Fol. 37, Fol. 35.)

RAPHAEL OF LUXEMBURG, superior of the Capuchin mission of Louisiana from 1723 until his death in 1734, was the *first German speaking priest in the United States.*

LOUIS FRANCOIS DUPLESSIS DE MORNAY, was born in 1663, made auxiliary bishop of the Bishop of Quebec in 1713, and Bishop of Quebec in 1727, and resigned this office after six years, on September 12, 1733. Owing to sickness he never came to America, but he exercised, as Bishop of Quebec, jurisdiction over the whole Mississippi valley. He died at Paris in 1741.

HILARIUS OF GENEVEAUX, superior and pastor of St. Louis Church in New Orleans, was made Protonotary Apostolic in 1764, becoming the *first Monsignor of the United States.* The bishop of Quebec protested against this distinction. On February 9, 1765, the bishop's agent, the Abbe Isle-Dieu sent a memorial to the French minister asking that the Papal Bull by which Father Hilary was appointed Protonotary Apostolic in Louisiana be declared to have been obtained by falsehood and misrepresentation (Arch. Nat., Paris. Series B, vol. 122, fol. 34). In consequence of this protest Father Hilary was expelled from Louisiana in 1766, because he had not received the King's *Placet* for the obtaining of the Papal Bull. Soon after, when Louisiana had become Spanish territory Father Hilary returned to Louisiana, and in 1773, was pastor of St. Genevieve's near St. Louis, Mo.

JOHN CHARLES HELBRON, from the neighborhood of Trier, Germany, arrived in Philadelphia October 14, 1787, labored at Lancaster, and became first pastor of Trinity Church, Philadelphia, in 1789. Two years later, in the fall of 1791, he left for Europe, in order to solicit alms for the completion of Trinity Church. He first went to Spain and from there into France to reach Germany. When he reached France, the Revolution was under way, and he ministered to the Catholics. He was arrested at Anglet near Bayonne and sentenced to death on November 29, 1793. He was executed at Bayonne.

BERNARD OF LIMPACH, born about 1745 at Limpach in the Duchy of Luxembourg, came to Louisiana shortly before the close of the year 1772. Here he was made pastor of St. John's church on the German coast, about 25 miles north of New Orleans, and remained there till 1776. In this year the present St. Louis (established but two years) was raised to a canonical parish, and Bernard of Limpach was appointed first canonical pastor. From 1766 till 1773 the settlement was served by the missionary priests Meurin and Gibault. The first resident priest was the Capuchin Valentin (1772 till 1775), who after a short interval was succeeded by Bernard of Limpach (May 1789). He was pastor at St. Louis until November 1789 as well as at St. Charles, Cardondelet, Portage de Sioux, Bridgetown and Florissent. During these years he baptized 410 whites, 106 negroes and 92 Indians. He left St. Louis in November, 1789, and on February 24, 1790, took charge of St. Gabriel's at Iberville, La., from which place he also ministered to St. Bernard's at Manchac (Galveston, Texas). On March 21, 1791, he was appointed pastor of Point Coupée in Louisiana and died there suddenly on March 27, 1796.

CYRIL SIENI OF BARCELONA came to Louisiana as bishop on June 25, 1784, remained there until 1793 and died about 1800. He was the *first bishop to reside* in any part of the United States. His presence here is explained by the fact that he was the coadjutor of the Bishop of Santiago de Cuba whose jurisdiction included Louisiana.

JAMES JONES, a native of Ireland, was the second resident priest at Halifax. He landed on August 28, 1785, to minister to the Irish congregation recently established there, and remained for fifteen years—until his death. He was nominated Vicar General for that portion of the diocese of Quebec, and is acknowledged as the real organizer of the church at Halifax. In a report of the Bishop he is characterized as: "homme pieux, zélé pour le bien des âmes autant que pour la gloire de Dieu, il possédait en outre, beaucoup science, et a un degré eminent le don de la parole. Il s'était déjà rendu célèbre en Irlande par toutes ses rares qualités." (*Cath. Ency.* VII, p. 118, Melançon, *Vie de L'Abbé Bourg*, Rimouski 1921, pp. 113-120.)

CHARLES WHELAN, was born in Ireland in 1741, and came to the United States in 1781 as chaplain in the French fleet under Admiral de Grasse. He was present at the famous battle off the capes of the Chesapeake in September 1781. In October 1784 he came to New York, being the first resident priest in that city. He was likewise the first Irish priest to labour in the United States, as well as the first resident priest in New York State to minister to the white settlers, his predecessors being concerned only with the Indians. He erected the second Catholic church in New York City, the first having been destroyed during the war. The cornerstone of St. Peter's was laid October 5, 1785. The following year Father Whelan went to Kentucky where he laboured until 1790. He afterward did missionary work in upper New York State. Finally in 1800 he became pastor of Saint Mary's where he died March 21, 1806. He was buried at Bohemia, Maryland.

SEBASTIEN DE ROSEY, came to America in 1781 as chaplain on the "Reflechi," one of the warships of Comte de Grasse's fleet. After the surrender of Yorktown he left with de Grasse for the West Indies. Thence he returned to France, but was forced to leave during the Revolution and set out for the French West Indies, where he labored for some time. From the West Indies he passed over into the United States, where he served as a missionary for a number of years in Maryland particularly, having charge of St. Nicholas' Church, St. Mary's county. There he died on December 27, 1813, at the age of 86 years, and is buried in the cemetery adjacent to the church. Here a memorial bears the inscription: "In

memory of Sebastien de Rosey (Durosey), Pastor of Saint Mary's." He had been a pioneer priest making the rounds to the different old Jesuit missions of Southern Maryland and Delaware. His property went to the state, since he had no heirs. He is said to have aided in founding Charlotte Hall School in Saint Mary's County, an institution described as not very Catholic in its atmosphere. (*America*, N. Y., December 8, 1917, Vol. XVIII, p. 210.)

PETER HELBRON, an older brother of John Charles Helbron, arrived in Philadelphia, October 14, 1787, labored at Goshenhoppen until 1791. From 1791 until 1799 he was pastor of Holy Trinity, Philadelphia, and from November 17, 1799 until his death April 24, 1816, he was pastor of sportman's Hall, now St. Vincent, Pa. In company with the famous Prince Gallitzin he ministered to the Catholics scattered over the territory of the present dioceses of Pittsburgh, Altoona, and part of Erie.

ANTONIO MORENO Y ARZE OF SEDELLA, came to Louisiana in 1779. On November 25, 1785 he was appointed parish priest of Saint Louis in New Orleans and died there in 1829.

LOUIS SAMBUCETI OF LAVAGNA, ITALY, labored from 1838 to 1850 in France, and from 1850 until 1856 in England. In the summer of 1856, he was appointed Pastor of St. Mary's Church, Toronto, by Bishop Charbonnel. He died there on March 17, 1857, in the odor of sanctity, and steps are being taken at present to promote his cause of beatification. (*Life of Father Louis de la Vagna, Capuchin Friar, Pastor of St. Mary's Church, Toronto*, by H. F. McIntosh. Toronto 1888, 8: p. 22.)

HYACINTH MARIA MARTINEZ, was born at Penacerrada, Spain, in 1812. On March 27, 1865, he was created Bishop of Havana, Cuba, and he died there in 1873. From 1843 until 1858 he had been laboring in Venezuela, Mexico, and Cuba, from 1862 until 1863 as secretary in India, and from 1863 until 1865 he had been teaching in the Capuchin Mission College in Rome. He was a gifted writer. "As bishop he ruled his diocese with inflexible firmness and with elevation of purpose in the midst of political turmoil and confusion." (*Cath. Encycl.*, VII, p. 154.)

THOMAS LOUIS CONNOLLY, second Archbishop of Halifax, Nova Scotia, was a native of Cork, Ireland. He made his novitiate in Rome and completed his theological course in the Capuchin Monastery at Lyons, where he was ordained in 1838. From 1838 until 1842 he labored in Ireland, and then came to Nova Scotia as secretary to Bishop Walsh of Halifax. For ten years he held this office and in 1852 was appointed bishop of St. John, N.B. In 1859 he was transferred to Halifax as the second Archbishop and died there in 1876. When he died the Rev. Principal Grant, one of the most noted Presbyterian divines in Canada wrote: "I feel as if I had not only lost a friend, but as if Canada had lost a patriot; for in all his big-hearted Irish fashion he was ever at heart a true Canadian." (*Cath. Encycl.*, VII, p. 118.)

ANTHONY MARIA GACHET, born April 8, 1822, at Gruyeres, Switzerland, came to the U. S. in 1857 to be master of novices in the Capuchin Province of St. Joseph, that was called Calvarian Province from its first foundation at Mt. Calvary, Wis. Father Anthony arrived there on November 25, 1857, and remained until May 19, 1859, when he left for Kenhena, Wis., to minister to the Menominee Indians. Here he spent four years and in 1863 was transferred to India, where he remained until 1867. He died in 1890. He compiled a small grammar of the Chippewa Menominee language which remained unprinted. Besides this he compiled a prayer book which among other parts contained a translation of the Sunday Gospels with explanation for the use of the same Indians in their own

language, which likewise remained unprinted. He also wrote: *Cinq ans en Amerique. Journal d'un Missionnaire*, Fribourg, 1890, and *Cinq ans en Asie. Journal d'un Missionnaire*, 2 articles; *Revue de la Suisse Catholique*, 1890, p. 912 seq., 1891, p. 37 sq. This work remained unfinished, owing to his death on February 1, 1890.

ARMAND COUNT DE CHARBONNEL was born, a French nobleman, in his father's castle at Monistrol, December 1, 1802. He joined the Sulpicians in 1825, and taught in their seminary in Lyons until 1834, and at Versailles and Bordeaux from 1834 until 1839. From then until 1847, he labored as a missionary in the dioceses of Baltimore and Montreal, but in 1847 he returned to France, on account of ill-health, where he remained until 1850. Then he was nominated Bishop of Toronto, Canada, and consecrated by Pius IX in the Sistine chapel, May 26. He gave his paternal estates (350,000 francs) to liquidate the debts of his diocese. In 1860 he resigned, to join the Capuchins, being appointed titular Bishop of Sozopolos, and afterwards (1800) titular Archbishop of the same See. He made his novotiate at Rieti, and two months later, was admitted to profession with papal dispensation. Thereupon he returned to France, where he preached and heard confessions. His greatest activity was displayed in collecting money for the missions as Promotor of the Society of the Propagation of the Faith. He died in the Capuchin monastery, March 29, 1891, at Crest, and was buried there. (*Cath. Ency.*, XIV, p. 782; and *Analecta O. M. Cap.*, VII, pp. 150-160.)

IGNATIUS PERSICO was born at Naples, Italy, January 30, 1823, and he labored as a missionary in India from 1846 until 1853. Through his efforts in London, he secured recognition of the rights of Catholics in India, from the British Government in 1853, and in the year following, he returned to that country, as an Auxiliary Bishop, where he remained until 1860. In 1866 he came to the United States on a diplomatic mission and for two years he took the place of Bishop Lynch of Charleston. On March 20, 1870 he was nominated Bishop of Savannah, but owing to poor health, he resigned three years later. In 1874 he was sent as Apostolic Delegate to Canada and in 1877 to Ireland. He was created Cardinal on January 16, 1893, and died December 7, 1896. He was the second Bishop of foreign birth, who after having labored in the United States, was elevated to the Cardinalate. The earlier one was the first bishop of Boston, who later became Cardinal Cheverus. No other bishop of the United States has had as checkered a career as Cardinal Persico.

DOMINICUS COCCHIA of Cesinale, was born in 1843. In 1869 he went to England, and in 1870, to Savannah where he spent more than two years as a missionary. On the resignation of Bishop Persico, he returned to England in 1873, where he labored until 1884 when he was made bishop of the diocese of Otranto. Three years later he became Bishop of Ascoli, Satriano, and Cerignola, and died in this office, November 17, 1900.

ROCHUS COCCHIA, older brother of Dominicus, and like him, a Capuchin, was born at Cesinale, in Italy in 1830. On July 26, 1874, he was consecrated bishop, and sent as Apostolic Delegate of Santo Domingo, Haiti and Venezuela. Arriving at Santo Domingo on September 19 of that year, he assumed the administration of the Archdiocese and then went to Venezuela, where he effected the repeal of the Anti-Catholic laws in 1876. In 1887 he restored the Cathedral of Santo Domingo and during these works of restoration, he had the good fortune to discover the remains of Christopher Columbus, Sept. 10, 1887. A few days later, he announced his discovery in a Pastoral letter to the people of the Archdiocese. The Spanish historians who believe that the remains carried to Havana in 1795, and later to Seville are those of Columbus, assail the authenticity of his

discovery. Yet all the non-Spanish authors agree with Monsignor Cocchia. The controversy raised the mere historical question to a political affair, deeply concerning the government of Spain. Spanish writers have even accused Monsignor Cocchia of having carried out a stupendous fraud, but historians outside of Spain have settled that question in favor of Monsignor Cocchia, and hold that the remains of Columbus are still in Santo Domingo. (Cf. J. G. Shea, *Where Are the Remains of Christopher Columbus?*, in *Mag. of Amer. History*, Vol. IX, N. Y. 1883, pp. 1-17.) Besides the Pastoral of 1887 Bishop Cocchia wrote two works on the discovery of Columbus' remains: *Los restos de Cristobal Colon.* Santo Domingo 1879, 8°: pp. 338; *Cristoforo Colombo e le sue ceneri.* Chieti 1892, 12°: pp. 376. He was promoted to the titular Archbishopric of Sirace in 1878 but remained in Santo Domingo as Apostolic Delegate, Vicar Apostolic and Administrator until 1882, when, broken in health, he returned to Italy for a short visit. He returned to Santo Domingo, but in March 1883, poor health again compelled him to return to Italy. On Aug. 9, 1883, he was nominated Archbishop of Otranto, but the following year he was sent as Internuntius Apostolicus to Brazil. On June 25, he landed in Rio de Janiero and remained for three years until May 23, 1887, when he was made Archbishop of Chieti in Italy, where he died on Dec. 19, 1900. Archbishop Cocchia wrote many works of which the most noted is *Storia delle Missioni dei Cappucini.* 3 Vol. Paris 1867 and Rome 1872-73. This is a most painstaking and scientific work, but unfortunately only covers the period from 1550 until 1700.

Pacificus Buisson was born at Valigny in France in 1863, and has been laboring since 1894 to the present day among the Micmac Indians of Eastern Canada. He is the best scholar of the Micmac language. Since 1902 he has published ten books in that language and since May, 1908 he has been editing a monthly periodical in Micmac. He even translated the baseball rules into Micmac for the use of the natives. Moreover, he has published eight historical studies in French, treating of the discovery of Eastern Canada and the past history of the Micmacs.

On the happy occasion of the jubilee of four hundred years, Pope Pius XI, addressed a letter to the Minister General of the Capuchins, Very Rev. Melchior a Benisa, O.M.Cap., dated June 23, 1928, (*Acta Apost. Sed.* vol. xx, no. 8). Extolling the work of the Order throughout these centuries, His Holiness calls attention to the fact that these Sons of St. Francis have been laboring on all the continents of the world. As their contribution to the holiness of the Church, he mentions St. Lawrence of Brindisi, St. Joseph of Leonessa, St. Fidelis of Sigmaringen and the Blesseds Didacus of Cadiz, Agathangelus and Cassian. May their work for God and souls continue to prosper.

G. B. S.

DOCUMENT

ENCYCLICAL LETTER

ON PROMOTING ORIENTAL STUDIES

To Our Venerable Brethren the Patriarchs, Primates, Archbishops, Bishops, and other Local Ordinaries in Peace and Communion with the Apostolic See.

Health and Apostolic Benediction.

In order to promote the study of Oriental sciences and a more thorough knowledge of them among the faithful, and still more among priests, our Predecessors, during the past centuries, have applied themselves with an ardour of which no one can be ignorant who has even rapidly glanced at the annals of the Catholic Church. They well knew that the cause of many evils in the past, and especially of the deplorable dissension which has detached from the root of unity many churches once so flourishing, has resulted principally and almost fatally from mutual ignorance and contempt, and from the prejudices which followed on a long division among souls. They knew also that no remedy can be supplied until those impediments are removed. Hence, to touch but briefly on a few of the historical documents which, beginning from the time when the bonds of unity began to be relaxed, bear witness to the care and solicitude of the Roman Pontiffs in this respect, every one knows with what benevolence and veneration Adrian I received the two apostles of the Slavs, Cyril and Methodius, and how singularly he honoured them; with what diligence he supported the Eighth Œcumenical Council, the fourth of Constantinople, to which he sent his legates, shortly after such a great portion of the flock of the Lord had been lamentably snatched away from the Roman Pontiff, the divine-constituted Shepherd. Such sacred assemblies, convoked for the purpose of discussing Oriental affairs, were held one after another, as when at Bari, at the grave of St. Nicholas, Bishop of Myra, Anselm, Doctor of Aosta and Archbishop of Canterbury, moved the minds and hearts of all by his learning and the wonderful sanctity of his life; or again as at Lyons, to which those two luminaries of the Church, the angelic Doctor St. Thomas, and the seraphic St. Bonaventure, were summoned by Gregory X, and how the one died on the journey and the other in the midst of the great labours of the Council; or as at Ferrara and Florence, when the palm must certainly be awarded to those ornaments of the Christian East, soon to become Cardinals of the Roman Church, Bessarion of Nice, and Isidore of Kieff; and when the truth of Catholic dogma, logically and methodically stated, and made to shine forth anew by the charity of Christ, seemed to pave the way for the reconciliation of Oriental Christians with the Supreme Pastor.

THE FRIARS IN THE EAST

The few facts We have cited manifest the paternal affection and devotion of the Apostolic See towards Oriental nations, but, because more remarkable they also occur more rarely. Innumerable other acts concerning the Orient, Venerable Brethren, bear testimony to the benefits which the Roman Church wished to confer on the East. It was to this end especially that she sent her religious to

spend their lives in the service of Oriental nations. Sustained by the authority of the Apostolic See, these heroic men, recruited chiefly from the religious families of St. Francis of Assisi and St. Dominic, went forth to found houses and to create new provinces of their Order, not only in Palestine and Armenia, where they cultivated anew with great effort theology and other sciences that contributed to the profane and the religious civilization not only of those countries but also of other regions, but in other countries also where the Orientals subjected to the domination of the Turk or of the Tartar, and forcibly separated from Roman Unity, were deprived of access to every form of education, especially religious education.

These remarkable benefits and aims of the Apostolic See seemed to carry weight with the doctors of the University of Paris who, since the thirteenth century, following the wishes and aspirations of the Holy See, founded, as history teaches us, and incorporated with their University, an Oriental college, with which our predecessor John XX, a few years later, kept in touch through Hugo Bishop of Paris.[1] Equally remarkable also, as the documents of that time testify, were the efforts of Humbert de Romans, a very learned religious and Master General of the Order of Preachers. In his book "Of what it befits to treat in the coming Council of Lyons," he recommended point by point what was necessary in order to win the souls of the Orientals[2]: a knowledge of the Greek language, because the diversity of nations is joined in the unity of faith by means of various languages; an abundance of Greek books and a sufficient number of translations of the works of the West into the languages of the East. He also exhorted the Friars Preachers assembled in General Chapter at Milan to hold in high esteem the languages of the East, and to study them earnestly so as to be ready to go forth to those nations if it were God's Will.

Thus also in the Franciscan family, Roger Bacon, that scholar so dear to Our Predecessor, Clement IV, not only wrote learnedly on the Chaldean, Arab and Greek languages,[3] but also facilitated their study for others.

Following the above examples, Raymond Lulli, a man of singular learning and piety, urged with all the impetuosity of his nature, and obtained from Our Predecessors, Celestine V and Boniface VIII, favours which at the time were most unusual: that a Cardinal should be placed at the head of Oriental affairs and studies, and that Apostolic expeditions be sent to the Tartar, the Saracen, and other infidels, as well as to bring the "schismatics" once more into the unity of the Church.

But We specially wish to emphasize how, through the initiative of the same Raymond Lulli, a decree was formulated in the General Council of Vienne and promulgated by Our Predecessor Clement V, in which We seem to see foreshadowed Our own Oriental Institute. With the approbation of this sacred Council, We provide for the erection of schools for the study of the above-mentioned languages wherever the Roman Curia shall happen to reside, as also in Paris, Oxford, Bologna and Salamanca, and for the appointment of two Catholic professors with sufficient knowledge for each of the languages—Hebrew, Greek, Arabic, and

1 DENIFLE-CHATELAIN, *Chartul, Univ. Paris*, t. II, n. 857.
2 MANSI, t. xxiv, ed. 128.
3 *Opus maius, pars tertia.*

Chaldaic—who shall direct those schools, and shall translate into Latin books written in the above languages, shall teach them to others, and shall pass on their knowledge through instruction; so that the young men by this means may with God's help produce the fruits hoped for by propagating the Faith among infidel nations.[4]

EFFORTS BY LATER POPES

But since, among Oriental nations, on account of the confusion of the times, nearly all the possibilities of scientific study were destroyed and it was impossible to cultivate higher studies among students well qualified for them, you know, Venerable Brethren, that Our Predecessors also were careful that not only in the chief Universities of that age there should be Oriental centres of learning, but also in a special manner that seminaries should be opened in the heart of this mother city of Rome, easily accessible to students of those nations, whence after a careful education they should go forth prepared to fight the good fight. On that account monasteries and colleges were opened in Rome for the Greeks and the Ruthenians, and also houses were given to the Maronites and Armenians. We may see what gain for souls was achieved when we consider the liturgical and other works which the Sacred Congregation of Propaganda caused to be published in various Oriental languages, and the precious Oriental codices which the Vatican library diligently gathered together and religiously preserved.

Nor is this by any means all. As Our Predecessors realized that a more complete knowledge of things Oriental among Occidentals was of great importance to foster charity and mutual esteem, they strove with all their might to attain this end. Thus Gregory XVI, who, raised to the Supreme Pontificate in the very year he was about to begin his mission as legate at the court of Alexander I, studied Russian affairs with the greatest diligence; thus Pius IX, who before and after the Vatican Council earnestly recommended the publication of works on Oriental rites and traditions; thus Leo XIII, who showed so great a love and pastoral solicitude not only for the Copts and the Slavs, but for all the Orientals. Besides the new religious Congregation of the Augustians of the Assumption, he encouraged also other Religious Orders to acquire or increase their knowledge of Eastern matters. He caused to be erected new colleges for the Orientals, in the Orient, as well as here in Rome. He praised most highly the University of the Society of Jesus at Beirut, which is even to-day in a most flourishing state and very dear to Us. Again Pius X also who, having founded the Pontifical Biblical Institute, kindled in the souls of many a new ardour for Oriental studies, and thereby reaped a rich harvest.

Our immediate Predecessor, Benedict XV, diligently emulating this paternal providence towards the Oriental nations, as a sacred inheritance accepted by Pius X, constituted a Congregation for the affairs of the Oriental Church, and decided to found in this City, the Head of Christendom, a "special centre for higher Oriental studies," endowed with "all the scientific apparatus which modern erudition requires, and staffed with zealous teachers, thoroughly trained in all branches of study concerning the Orient,"[5] and empowered with the faculty of

4 DENIFLE-CHATELAIN, *Chartul, Univ. Paris*, t. ii, n. 695.

5 BENEDICT XV, Motu proprio *Orientis catholici*, Oct. 15, 1917. Acta Ap. Sedis IX (1917), n. 11, pp. 531-533.

giving "the degree of Doctor in ecclesiastical sciences related to the Christian nations of the East."[6] This Institute was open not only to the Orientals (among whom are included those also who are separated from Catholic Unity), but also to the Latin priests who wished to become proficient in these branches, or who wished to minister to the Orientals. The greatest praise is to be given to these men, who worked diligently during a period of four years to initiate the first students of the Institute in Oriental sciences.

THE TRANSFER OF THE INSTITUTE

There was, however, this difficulty to a fitting development of the Institute, that, though near the Vatican, it was far from the centre of the city. Therefore We, wishing to carry into effect what Benedict XV had in mind, had decreed, at the beginning of Our Pontificate, the transfer of the Oriental Institute to the Pontifical Biblical Institute, as being closely related to it in studies and purposes, the Institutes remaining distinct from one another. We intended to give the Oriental Institute an abode of its own as soon as possible. Moreover, with the intention of there never being a lack of men fitted to teach Oriental subjects, and thinking that We should reach this end more easily by confiding so important a charge to one religious family, by Our Letter of September 14, 1922,[7] We commanded the General of the Society of Jesus that, by his love towards the Holy See and his Vicar, and the obedience he owed to him, he should, in spite of all difficulties, undertake the entire administration of the Institute, observing the following conditions: that the supreme direction of the Institute being reserved to Us and to Our successors, the General of the Society of Jesus should find men capable of filling the difficult offices of President and lecturers of the Institute; that henceforth, either directly or through the President, he should propose for Our approval and that of Our successors those whom he considered competent to lecture on the various subjects of the Institute; and that he should suggest all that might seem to conduce to the security and prosperity of the Institute.

Now, at the close of the sixth year since We, with the special guidance of God, made this decision, We may thank God most gratefully that an abundant harvest has resulted from Our labours. Although the number of students—as the nature of the Institute itself requires—has not been, nor ever will be, very great, still it has been sufficient to enable Us to rejoice when We realize that already an important group of men, rapidly increasing in numbers, will soon leave the shelter of this abode of learning, so formed in piety and learning that we have every hope that they may, in the field which lies open before them, be of great assistance to the Oriental Churches.

SPECIAL TRAINING

And now, while praising with all Our hearts the local Ordinaries and Heads of Religious Orders, who, making Our wishes their own, have sent to Rome, from divers nations and countries, their priests to be formed in Oriental sciences, We

6 BENEDICT XV, Litteræ Apostolicæ *Quod Nobis*, Sept. 25, 1920. Acta Apost. Sedis XII (1920), n. 11, pp. 440-441.

7 Letter *Decessor Noster* (Acta Apost. Sed. XIV (1922), n. 15, pp. 545-546.

at the same time exhort all Religious Heads of groups scattered far and wide upon the earth, that, following such an example, they neglect not to send to this Our Oriental Institute those students whom they may consider suitable and who may feel an attraction for such studies. Let us recall to your memories, Venerable Brethren, what we recently declared in Our Encyclical *Mortalium animos*. Who is there who does not know how often a kind of unity among Christians, completely foreign to the mind of Christ the Founder of the Church, is contemplated; and who has not heard of those most important discussions, carried on especially in the greater part of Europe and of America on the most important subject of the Orientals, whether united to the Roman Church or separated from her? But, though the students from Our seminaries, having acquired, as they should, a knowledge of Protestant errors and fallacies of later date, are able to recognize and promptly to refute them, they are not, however, trained at least generally speaking, in that particular branch of learning which would enable them to pass a sure judgment on matters pertaining to Oriental sciences and customs, and to the liturgy which is to be preserved with all reverence within the Catholic unity. For this a very special and accurate study is required.

Therefore, since We cannot in any way neglect all that could help to bring about that most desirable reunion of such a remarkable portion of the flock of Jesus Christ to His true Church, or to show the greatest charity towards those who, in their different rites, closely adhere with their minds and their hearts to the Roman Church and the Vicar of Christ, we earnestly exhort you, Venerable Brethren, that each one choose among his priests at least one who, being well trained in these branches of learning, shall be able to instruct seminarists in them when opportunities arise. We are not ignorant of the fact that it belongs in a peculiar manner to Catholic Universities to institute a special faculty of Oriental sciences. With Our initiative and Our help, We are glad that this work has already begun in Paris, Louvain, Lille. Of late, also, in several other seats of theological learning, chairs of Oriental sciences have been founded at the expense of the civil government, with the consent of and by the encouragement of the local Ordinaries. Nevertheless, it ought not to be too difficult to find a Professor in each of the theological seminaries who, together with history, liturgy, or canon law, will be able to teach the elements of Oriental sciences. And when the minds and hearts of the students shall thus be turned towards Eastern teaching and and rites, no small gain should result. Not only will the Orientals thus derive benefit, but also the students themselves will have a better knowledge of Catholic theology and Latin discipline, and will conceive a greater love for the true Spouse of Christ, whose beauty, on account of the variety of rites, will shine forth the more.

THE NEW CENTRE

Having considered all the advantages to Christianity that would follow from such training of young men, We have considered it part of Our duty to spare no labours, not only to ensure the life of the Institute which from the outset We confirmed, but also to facilitate its success by new developments. Hence, as soon as it was possible to Us, We wished to assign to it an abode of its own, spending for the purchase and establishing of the house of St. Anthony, near St. Mary Major on the Esquiline, the funds bequeathed to Us by the liberality of a benevo

lent prelate as also those offered Us by a devout citizen of the United States; We hope and pray that their reward in Heaven may be exceedingly great. Nor should We pass over in silence the fact that funds reached Us from Spain, sufficient to furnish and to endow a larger and more beautiful library. May these examples of liberality encourage others, for, after an experience of many years as Librarian of the Ambrosian and the Vatican Library, We realize how important it is to furnish this library with all necessary material, so that not only the Doctors, but also the students, should be enabled to acquire knowledge concerning the Orient from sources often hidden or unknown, but yet extremely rich, and to turn them to public service. Undeterred by difficulties (though We foresee these will be numerous and great), We shall strive, as far as in Us lies, to procure all things that appertain to the countries of the Orient, to their customs, to their languages and to their rites; and We shall be very grateful to any who, through filial love for the Vicar of Christ, shall help Us to attain this end, whether by giving funds, or books, or codices, or paintings, or anything of the kind relating to the Christian East.

And thus We hope that the Oriental nations, seeing with their own eyes the monuments of the piety, the learning, and the arts of their ancestors, shall be taught how true, eternal orthodoxy was held in honour in the Roman Church and with what sacredness it is preserved, defended and propagated. May We not hope, that moved by such strong arguments (especially if ever the mutual intercourse between scholars Christian charity shall preside) the greater number of Orientals, striving to regain their ancient glories, and putting aside prejudice, will desire to return to that Christian unity maintained by a full profession of faith, such as befits the true followers of Christ, united in One flock under One Shepherd?

THE WORK OF THE INSTITUTE

While We hope and pray to God that this most happy day may finally dawn upon the Christian world, it will perhaps be useful, Venerable Brethren, to indicate briefly how Our Oriental Institute, uniting with us to carry out Our desires, shall work to attain this end. The Professors are engaged in two different sorts of studies, of which some are contained, as it were, within the walls of the Institute, while others have a wider sphere, by means of the publication of documents relating to the Christian East, whether unedited, or forgotten in the days in which we live.

As to the education of the students, besides the dogmatic theology of the dissidents, the explanation of the Oriental Fathers, and of all that appertains to Oriental studies, whether of history, liturgy, archæology, or other sacred branches of learning, and the languages of various nations, we recall with special gratification how We have been enabled to add to the Byzantine Institutions a chair of Islamic Institutions, a thing hitherto unheard of in Roman centres of learning. By a special favour of Divine Providence, We have been able to place at the head of this Department a man who, born a Turk, and after many years of study, having by God's help professed the Catholic religion and been ordained to the priesthood, seemed capable of teaching those among his compatriots who were to be destined to the sacred ministry how to present, as well to scholars as to the ignorant, the cause of the One Individual God, and of the Gospel law.

Nor are the publications of the Oriental Institute for the propagation of the Catholic religion and the achievement of true union among Christians of less importance. The greater number of these volumes, called *Orientalia Christiana*, were written during the past few years by Professors of the Institute; the rest, under its auspices, by other experts on Oriental questions. These either deal with both the ancient and modern conditions of the Eastern nations generally unknown to Westerners, or else cast a new light upon the religious history of the East by means of documents hitherto unknown; or describe the relations of Oriental monks, and even Patriarchs, with this Apostolic See, and the solicitude of the Roman Pontiffs in defending their rights and property; or compare the theology of the dissidents regarding the sacraments or even the nature of the Church herself with the Catholic Truth; or again make a study of ancient codices. In a word, there is nothing which relates to sacred sciences, or has any connection with Oriental civilization (as for instance the remains of Greek culture in Southern Italy) which does not appeal to the diligence of these scholars.

HOPE FOR UNITY

Who then, considering the great extent of these labours, undertaken chiefly for the benefit of Orientals, does not trust that Jesus Christ the most merciful Redeemer of men, taking pity upon the sad fate of so many, long astray from the right road, will complete what We have begun, and guide His flock into the One Fold, ruled over by the One Shepherd? A special reason for this hope is that among those nations a very great part of Revelation has been religiously preserved, sincere service is rendered to Christ Our Lord, great piety and love are shown towards His sinless Mother, and devout use made of the Sacraments. Therefore, since God in His mercy has willed that men, and especially priests, should as His instruments co-operate in the work of Redemption, what is there left to Us, Venerable Brethren, but once more to supplicate, yea to compel you not only to agree in mind and in heart with Our designs, but also to labour that the longed-for day may soon dawn, when We shall all welcome back, not only a few, but the vast majority of the Greeks, of the Slavs, of the Roumanians, and of the Eastern nations, hitherto separated, to their former communion with the Roman Church. And as we meditate upon what We have already begun to do, and what We hope to bring to perfection, so as to hasten this joyful day, it seems to Us that We may compare Ourselves to the Father of the family whom Christ Our Lord describes as calling the guests invited to His supper "that they should come, for now all things are ready" (Luke xiv, 17). Applying these words to Our own case, We earnestly entreat you, Venerable Brethren, that you add your efforts to Ours, for this most important end of promoting Oriental studies. So that, after the removal of all obstacles, under the auspices of the Immaculate Virgin Mother of God, and of the Holy Fathers and Doctors of East and West, We may receive into the House of the Father those brethren and sons of Ours, so long separated from Us, but once more united in bonds of a charity based upon the solid foundation of truth and the full profession of the Christian religion.

And in order that these Our desires and enterprises may be most happily realized, as an earnest of heavenly gifts and as a token of Our paternal affection, We most lovingly impart the apostolic benediction to you, Venerable Brethren, and to all the flock committed to your care.

Given in Rome, at St. Peter's, on the feast of the Nativity of the Blessed Virgin Mary, September 8, 1928, in the seventh year of Our Pontificate.

PIUS PP. XI.

CHRONICLE

Pope Pius XI announced on July 12, in an audience with the members of the Sacred Congregation of Seminaries and Universities, the appointment of the Right Reverend Mgr. James H. Ryan, D.D., Ph.D., as the fifth rector of The Catholic University of America and successor of the Right Reverend Bishop Thomas J. Shahan, who resigned last April after almost a score of years of inspiring leadership.

Mgr. Ryan was born to John Marshall Ryan and Brigid Rogers Ryan, December 15, 1886, and commenced his early training in St. Patrick's parish high school in Indianapolis. Then he studied at Duquesne University of Pittsburgh under the Holy Ghost Fathers, at Mount St. Mary's Seminary in Cincinnati, and at the American College, Rome, where he was ordained on June 5, 1909, and given the degree of Doctor of Sacred Theology. The following year, he was awarded a doctorate in philosophy by the Roman Academy. Dr. Ryan was then called to the chair of philosophy in the College of St. Mary's of the Woods, where he remained until 1921, when he was summoned to act as secretary of the department of education in the National Catholic Welfare Conference and also as an instructor and later as associate professor of philosophy at The Catholic University of America.

Dr. Ryan was named as the Catholic authority on the editorial staff of *Speculum*, a scholarly journal of mediaeval studies established some years ago by American mediaevalists. He also was an organizer of the American Catholic Philosophical Association of which he is secretary-treasurer, and of whose organ, *The New Scholasticism*, he is editor. Doctor Ryan has been a busy man, compiling the first general Directory of Catholic Colleges and Schools of the United States, writing a well-received manual, *An Introduction to Philosophy*, which is widely used as a text in Catholic colleges and as a reference work in other institutions, editing a volume of the Encyclicals of Pius XI, and writing several articles and book reviews for the *Atlantic Monthly*, *Current History*, *Philosophical Review*, *The Ecclesiastical Review*, *The New Scholasticism*, and other periodicals. In recognition of Doctor Ryan's contribution to the cause of Catholic education, the Holy Father named him a domestic prelate with the title of Monsignor, September 10, 1927.

Mgr. Ryan is more than a scholar; he is a teacher in the true sense; he is an administrator and a tactful leader. He will inspire confidence and loyalty on the part of faculty and students. Aided by the hierarchy and priesthood, and supported by twenty million Catholic laymen in the United States, Mgr. Ryan will make The Catholic University of America one of the greatest educational institutions in the land.

Rev. Dr. John A. Ryan, of the Catholic University of America, Director of the Department of Social Action, N. C. W. C., speaking at the fourteenth annual meeting of the National Conference of Catholic Charities at St. Louis, Mo., on "Immediate Interests of Labor in the United States," urged a higher wage scale and the five-day week as two steps which would reduce surplus production and place industry and agriculture on a sounder basis.

"The most important immediate interest of labor," said Dr. Ryan, "is one in which they share with all other classes of our industrial society. It is the problem of adjusting consumption to production."

Dr. Ryan then touched upon the changes that have come about in the industrial world through the advent of machinery which has vastly increased the output of each man employed.

"If consumption were keeping pace with production," he added, "at least three-fourths of the advertising costs and other selling costs would be unnecessary. This condition of chronic capacity of our industry to turn out more goods than can profitably be sold obviously is injurious to all classes of society."

"For probably the majority of manufacturers, farmers and merchants it means inadequate returns on their capital; for the wage earners it means a considerable amount of unemployment in even the best times. Today in the United States at least 3,000,000 and probably 4,000,000 laborers are out of work, and all the indications are that the number will not be reduced in the near future. Indeed, the probably continued improvement of machinery, the indefinite continuation of the process of substituting machines for men, seems likely to increase rather than decrease the volume of unemployment.

"One billion dollars or more of American money is invested annually in foreign countries," he said. "If, instead of being exported, this fund were distributed among the 10,000,000 poorest paid of our wage earners, it would provide an average increase of $100 each in their annual incomes. Imagine what an increase this would mean in the demand for our surplus products of food, clothing, housing and other necessities and comforts."

Pax Romana, the international union of Catholic universities held its annual congress at Cambridge from August 13 to 17, this having been the first occasion on which the organization's annual gathering was held in England.

The main theme of the congress was dealt with under the title of "Broken Bridges," in papers by Mr. Hilaire Belloc, Mr. Joseph Clayton, and Rev. Dr. Fulton J. Sheen of The Catholic University of America, who, says the *London Universe*, has often been alluded to as the new Catholic philosopher of the age.

"Until not so many years ago," said Dr. Sheen, in his paper on "The Philosophical Bridge," the common denominator between all Christian religions was the Divinity of Christ and among all philosophies, the fundamental principles of thought, such as identity and causality. Today there was a Christianity without Christ and a philosophy without principles. In the general upheaval of thought, philosophy had suffered much and the span between traditional and modern philosophy had been seriously damaged.

The damage was due to a "spiritual declension," a gradual breakdown of a belief in the transcendental, and a readiness to dissolve spiritual sciences into purely physical ones. God was reduced to man and man to the universe, which ultimately meant that God and the universe were one.

After mentioning some of the views of God held by the best known philosophers of to-day, Dr. Sheen said that very often the name of God was omitted, and that when it was contained in philosophical writings it was emptied of all content and

made so nebulous as to be understood either as "Space-Time" or a "Mental Projection" or a "Divine Imaginal." Natural Theology for the generality of contemporaries was now nothing more than the study of human vales. Humanism had become the established religion and the "idea of God" had taken the place of God.

In university circles it must be disastrous for any science to lose the end for which it was created, and that applied particularly to psychology, which first lost its soul with James, then its mind with Bergson, and finally its consciousness with the Behaviourists, for whom man was only a combination of biological reflexes.

Coming to the question of the mending of the breach, Dr. Sheen insisted on a better acquaintance with modern thought. There still remained one bond which was to-day regarded as an authority and respected as a principle, and that was science. Science, as science, was impartial; only scientists were prejudiced. Dr. Sheen pleaded for more use to be made of the vast scientific data before them, as Cardinal Mercier used it in his philosophical writings.

Non-scholastic thought changed its spirit every generation, and if scholastic thought were to fulfil its mission it must also change its emphasis.

"A philosophy," said the speaker, "which will appeal to our day, answer our needs, satisfy the enquiring minds of our students, must meet a philosophy of exaggerated relativity by a philosophy of sane absoluteness. Twenty years from now, philosophy will strike a different key, and we must do the same. This does not mean that we must sacrifice truth, and only means that we must change our emphasis."

Natural theology, the speaker maintained, should be developed into a philosophy of religion which would serve as a therapeutic against the dissolution of natural theology to humanism, analyse the assumption behind contemporary religion such as nominalism, relativism, and evolutionalism, study the relation between God and man and demonstrate the ultimate foundation of religion. A new emphasis should be placed on the medieval science of physics which would produce a philosophy of science. It would be a counter-irritant to the dissolution of psychology to cosmology.

"Sooner or later," concluded Dr. Sheen, "philosophy must return to its Father's house, which is Wisdom and Truth. . . . A Godless philosophy cannot exist, for it cannot bear the sorrow of not knowing its cause; nor can a Godless humanity exist, for it cannot bear the burden of its own heart."

Some 600 Orientalists were present at the International Congress of Orientalists held at Oxford recently.

The congresses began in Paris in 1873, and were held at frequent intervals until that of Athens in 1912, since when they have been interrupted until the present year.

Delegates from the Governments of more than thirty States met at Oxford. From the Holy See the delegates were Mgr. Mulla (president), a convert from Islam, and Professor in the Oriental Institute at Rome, who was created Domestic Prelate on the occasion of the present delegation; Fr. W. Schmidt, S.V.D., director of the Missionary and Ethnological Museum of the Lateran, a famous anthropologist and founder of the international journal, *Anthropos*, Professor at the

University of Vienna; Fr. A. Vacchari, S.J., of the Pontifical Bible Institute, Rome; and Fr. A. Deimel, S.J., Professor of Assyriology at the same Institute.

Another distinguished Congressist was Mgr. Tisserant, Auxiliary to the Prefect of the Vatican Library and charged with its Oriental section.

There were delegates also from more than a hundred universities and learned societies, among these the Catholic universities, the Pontifical Biblical Institute, the French Biblical and Archæological School at Jerusalem (Dominican).

The papers were read over a period of four days, members meeting in ten sections.

There were notable contributions by Catholic priests in the various sections—by Professor Coppens (Louvain), on the reform of Josias and the Law discovered by Helcias; by Fr. A. Deimel, S.J. (Rome), a paper on the vexed problem of Sumerian verbal prefixes, which attracted considerable attention in the Assyriological Section; by Fr. A. Mallon, S.J., on the recent excavation by himself and others of prehistoric remains in a cave near Jerusalem; by Mgr. Mulla, on the Apology against Renan of Namig Kemal; by Fr. E. Power, S.J. (Rome), on the shepherd's two rods in modern Palestine, and some passages of the Old Testament, with special reference to Ps. 22, in which a slight emendation was proposed; and by Fr. A. Vaccari, S.J. (Rome), on the narrative of Eden in the history of religions and in theology, mainly with regard to the Catholic doctrine of original sin.

An important paper was read by Fr. Schmidt, in which he dealt with the formation of the Australian languages, and pointed out how any theory of the origin of religion based on the knowledge of Australian tribes must be inadequate until their language has been carefully studied, which, as yet, has not been done.

Fr. Schmidt urged immediate action in Australia lest a whole family of languages disappear before a satisfactory record of them has been made.

He was supported by many members of the First (Anthropological) Section, notably by its president, Pro. Myers, who pointed out the possibilities of a phonographic record being used for this purpose; by Professor Lehmann-Haupt, and by Dr. Mayer.

A resolution was carried with acclamation, urging upon the Australian Government the need of carrying through the project outlined by Fr. Schmidt, either by the establishment of a Research Institute of Australian Languages on the lines of the Smithsonian Institute at Washington, by the organization of a linguistic survey on the lines adopted in India, or in any other way.

A resolution of the Islamic Section, drawn up after the reading of a paper by Fr. Bouyges, S.J. (Beyrout), encouraged and desiderated the continuation of the *Bibliotheca arabica scholasticorum* undertaken by the University of St. Joseph, Beyrout, under the direction of Fr. Bouyges. This enterprise is the execution of an idea projected many years since by historians of Scholasticism, particularly by the late Fr. Chossat, S.J., and by Cardinal Ehrle.

The resolution, and that suggested by Fr. Schmidt, were among those formally adopted by the whole Congress at the final meeting.

Plans for the erection of a new house of studies which is to serve as the National Scholasticate have been announced by the Brothers of the Christian

Schools. The new building to be known as De La Salle College will be contiguous to the Catholic University of America with which the house of studies will be affiliated.

Most of the property of the new institution will be in Maryland, with a small part of it in the District of Columbia. The site of the house of studies and the school is at the intersection of Queen's Chapel and Chillian roads.

Brothers from the provinces of Baltimore, New York, and St. Louis will be enrolled at the new house of studies and will pursue their courses at the Catholic University.

The new scholasticate is to include "demonstration classes" modeled after their famous training school in Waterford, Ireland.

Monsignor Horace K. Mann, a noted historian of the Popes and rector of the Collegia Beda, Rome, since 1917, died on August 8, after a short illness, during a holiday in England.

Mgr. Mann by his historical studies and writings gained for himself a place in the world of letters. When, in 1911, he celebrated his sacredotal silver jubilee the Holy Father awarded him the degree of Doctor of Divinity, *honoris causa*. In 1917 he was appointed rector of the Beda College and made a Domestic Prelate.

At the time of his death Mgr. Mann was engaged in the writing of "The Lives of the Popes in the Middle Ages," the fourteenth volume of which he presented to the Holy Father in May. He has also written a life of Adrian IV, the English Pope.

The first volume on St. Gregory the Great appeared in 1902. The author had carried his history down to Boniface VIII, and was hoping to repair the injustices meted out by some historians to the memory of the last of the great mediæval Popes. His last published volume was, however, that dealing with Innocent IV.

It had been Mgr. Mann's intention, had he been spared, to write the story of the Popes of the "Babylonish Captivity" and thus carry down his history to the point at which that of Dr. Ludwig von Pastor opens.

Mr. Thomas F. Farrell, of New York, was elected president of the National Conference of Catholic Charities at its fourteenth annual meeting held at St. Louis, Mo., last month. Mr. Farrell is the first layman ever to hold this office. He succeeds Rt. Rev. Bishop Thomas J. Shahan, the first and only other president of the Conference, who resigned this year after having held office continuously since 1910.

An increase of 2,883,035 in the number of Catholics and a gain of 1,564 in the total of Catholic churches in the United States between 1916 and 1926 have been reported by the Census Bureau of the Department of Commerce.

The number of Catholics in 1926 is reported to be 18,604,850, compared with 15,721,815 in 1916. The report shows that there were 18,939 churches in 1926, as against 17,375 in 1916.

With the exception of three of the thirteen Southern States, gains to the Church have been made in every part of the country. The increase in the number of Catholics is among the largest of any of the several denominations so far tabulated by the Census Bureau.

Expenditures of 16,316 of the 18,939 Catholic churches in the States amount, according to the Federal census, to $204,522,987. Of this total $181,734,384 was used for current expenses and improvements and $19,381,523 for charities, missions, etc.

The value of 16,253 of the church buildings and equipment in the country is put at $837,206,053.

The Franciscan Custody of the Holy Land has begun the reconstruction of its ancient institutions in Akka (the famous St. John of Acre, or Ptolemais) which were seriously damaged by the earthquake last year. The buildings being restored include the parish church, the Franciscan Convent, the hospice for pilgrims, and the school for boys.

Acre is especially cherished by the Holy Custody owing to its Franciscan associations. It was to Acre that St. Francis sent in 1217 twelve of his disciples under the leadership of Elias of Cortona, the first Franciscan Provincial in the East. And some years later St. Francis himself embarked for the same destination. Since 1291 Acre has been the principal house of the Holy Custody in Palestine.

BOOK REVIEWS

A History of American Life in Twelve Volumes. Arthur M. Schlesinger and Dixon Ryan Fox (eds.); Ashley H. Thorndike and Carl Becker (consulting eds.). The MacMillan Company. New York. 1927.

II. *The First Americans, 1607-1690.* By Thomas Jefferson Wertenbaker. Pp. xx, 358.

III. *Provincial Society, 1690-1763.* By James Truslow Adams. Pp. xviii, 374.

VI. *The Rise of the Common Man, 1830-1850.* By Carl Russell Fish. Pp. xix, 391.

VIII. *The Emergence of Modern America, 1865-1878.* By Allan Nevins. Pp. xix, 446.

With this review we welcome a new series of American histories to our book shelves. In projecting the work the editors, Professor Schlesinger, of Harvard, and Professor Fox, of Columbia, had in mind the presenting of a survey of our cultural life — cultural in the sense that political considerations are subordinated to religion, morals, education, literature, the fine arts, the useful arts, the making of a living, in fine, as the title of the series indicates, American life. A knowledge of political developments is presupposed. Such phases of intellectual activity as are wont, like literature, to receive special treatment, are not covered as fully as most of the other phases.

History of this sort, however, is likely to admit only of sketch-book discussion. Writers who deal with the home life of a people are likely to wander as unprofitably though as interestingly in their pages as curious women's eyes rove over a neighbor's belongings when their host is not standing guard. Unity is with these materials to be achieved only by a master or by a scholar of rare synthetic ability.

No one will deny the utility of such history. After all the life of a people is fundamental to an understanding of their institutions, especially in the last two or three centuries when institutions have been developed from below rather than from above, when with the rise of the common man institutions are the results of mass production rather than of class imposition. In other ways this venture is tremendously interesting as well as

significant. The value of such a work to the teacher in the high school as well as in the college is tremendous. Nothing wins the attention of classes more quickly and digs more deeply into their souls than the narration of such life history. Nothing, also, so easily dissipates the time that is needed for the development of framework facts and their interpretation in the class room. Nothing, finally, oozes out of mind faster than such interesting matter incidentally presented. With a series of volumes such as this on the reserve table or shelf, but slight stimuli are needed in the class room to create lively competition for historical works in reading hours. The volumes of this set should, in our opinion, be bought by our high schools and colleges, in duplicate, even in triplicate.

Of the twelve volumes announced four have appeared. The characteristics of the series stand out so prominently in all as to warrant a common review. Cultural information is presented not unconnected and not in overwhelming confusion, but with reference to the development of our life, and with discrimination. Statements are documented and the final chapter of each volume is devoted to a critical discussion of the sources, both primary and secondary. The illustrations are well explained in the table of contents. The reader's eyes will not tire following the new style of type which the publishers have used. In the following paragraphs we shall content ourselves with pointing out the bases of the preceding generalization.

Professor Wertenbaker, of Princeton, has written the volume covering the period, 1607-1690, *The First Americans*. The central colonies, except Maryland, were in these decades either not established or not well developed. His book, then, deals largely with New England and Virginia. It might have dealt more fully with Virginia's neighbor to the north. Several widely accepted statements are refuted in his pages. Not by any means all the men who came to New England possessed the religious spirit of the leaders (p. 192). The Puritan colonies were not exclusively founded for religious reasons. The clergy, however, succeeded in making the religious end most prominent. This prominence proved shortlived in spite of fulminations from the pulpit. New Englanders were obliged to have recourse to the sea and to trade and in this trade they got new,

broader ideas and those ideas attributed much to the breakdown of the theocracy. "Let Merchants and such as are increasing Cent per Cent remember this— 'That New England is originally a plantation of Religion; not a plantation of Trade' "—fumed a minister. Merchants, however, were the chief protestants against the Salem witchcraft delusion (pp. 112-113). Professor Wertenbaker prefaces his story of the colonial treatment of witches by a review of past theory and practice. Though the witchcraft theory goes back to the thirteenth century, he finds that "the end of the sixteenth century and the beginning of the seventeenth, a period noted for religious chaos and conflict, marked the height of the witchcraft persecutions. The Protestant movement had dignified the Bible into a unique authority, and the Bible commanded, 'Thou shalt not suffer a witch to live' (Exodus xxii, 18). Many felt that the Roman church had been criminally lenient in this matter" (p. 142). The Puritans in New England and in Maryland were much more severe in their prosecution of witches than the Anglicans in Virginia.

Anglicanism in Virginia failed for many reasons, all well illustrated by the author. Among them may be mentioned the evil nature of the particular type of union between church and state developed in England. The governor of Virginia was also the head of the Anglican establishment in Virginia and as governor often came into conflict with the clergy (p. 126). Again the Anglican leaders "tried to make the constitutions in the colony conform to the laws and the structure of the Anglican church. Since the ecclesiastical robes did not fit the shoulders of this young wilderness child, they attempted to alter the shoulders" (p. 138). Attempts to make New World facts square with Old-World theories and practices in other spheres of endeavor are also noted here and there. Particularly good is the summary of reasons which Professor Wertenbaker gives for the lack of learning in the colonies (pp. 260-261). We are glad to see that he carries the reasons for the fact that no leisure class existed as yet in British America over into the domain of art and the appreciation of the beautiful in nature. The reviewer has for years made the same contention for what lack of appreciation of nature there was in medieval man. To quote: "The vast leafy ocean stretching out as far as the eye could see seemed to

the settlers only a tremendous barrier to settlement; the picturesque savages were a deadly enemy to be subdued and swept aside; the broad rivers were of interest chiefly as obstacles or avenues of transportation. They lived too close to the mighty forces of nature to paint them or sing about them. Their task was to fight, to conquer, to labor, and to build" (p. 312). Another observation about the longevity of the colonists is of considerable present interest. Notwithstanding their hard lives and the dangers of their environment the colonists established records for long living that with all our comforts and with all the benefits of our science we can hardly match in our times. "Their food was plain and wholesome, their work hard but not enervating; their houses were not over-heated; they were free from the nervous strain attendant upon life today" (p. 181). Finally, Professor Wertenbaker finds that the life of the colonists, dissipated, misconducted and even vicious though it was, was as a whole cleaner than that of the people of contemporary England and continent. There were no large towns; there was work for all; the natural environment acted as a purifying force (pp. 207-208). Punishments for crime were not so severe as in England (p. 210); indeed, "measured by the contemporaneous European standards, the settlers were notably humane" (p 236).

What Professor Wertenbaker so well began in his book, Mr. Adams continues equally well for the later colonial era in his *Provincial Society, 1690-1763*. The two books admirably supplement Osgood's seven stately volumes on colonial political evolution in this age. Mr. Adams finds the period, 1690-1713, one of pause, pause between the culture transplanted from England and the development of a culture that may be called colonial. After 1733 the growth of a more distinctly colonial culture is rapid. Everywhere there is change; most notably in the thought of the period. Theological interests were giving way to the ideas generated by economic prosperity in New England. The tendency of thought menaced the ministers of the Puritan religion; it vexed them more. These interests get the better even of colonial attachment to England; indeed also of other colonial interests. Very interesting evidence of the lack of patriotism in the dollar is the trade of Albany. This border post found it more profitable to sell to the French Canadians than to the Indians

(Iroquois). The French in turn traded these English goods with the Indians, thus improving their relations with them to the detriment of the English colonists (pp. 35-36).

New England, too, is scored time and again in the pages of this volume; thus: snobbishness was never more rampant than it was in the small New England villages where it received and added an ugly twist of Pharisaism (p. 85); the old picture of a school in every New England village and of a people athirst for knowledge is of the imagination (p. 132); the south is more appreciative of music than New England (p. 147); "the old belief of the New Englanders, carefully nursed by their later historians, that they alone formed such a (superior) strain in the colonial population was based only on prejudice, ignorance and abounding conceit" (p. 150); and "the old tradition of the continuous literary preeminence of New England was largely based upon mere ignorance of conditions and sources in the other colonies" (p. 266).

The years before 1713 Mr. Adams states were lean; from 1713 to 1733 they were prosperous, characterized even by overspeculation and inflation of currencies. This prosperity was accompanied by an influx of immigrants chiefly from Germany and from Ireland, and much space is therefore given to the discussion of the reasons why they came, of their difficulties and of the consequences of their settlement in the colonies. We suspect Mr. Adams of rank "revisionism" because of his words about the "barbarous cruelty" of the treatment which the French, "a nation which has always boasted of being the leader of civilization in Europe," meted out to the German peasants in the Thirty Years' War (1618-1648) which brought so many Teutons to America (pp. 170-171). Of the persecution of the southern Irish little is said though the sufferings of the northern Scotch-Irish are noted. What these German and Irish immigrants suffered in passage and on their arrival in America is vividly described (pp. 175-178). Catholic emigrants from Germany bound for the colonies were often stopped in England and compelled to return to the Fatherland (p. 179). Incidentally we note that Mr. Adams has something to say about the Catholics in Maryland (a matter which Professor Wertenbaker passes over), pages 151 and 152, and in Pennsylvania, page 155.

In the field of religion, furthermore, great stress is laid on the growth of infidelity and even of radicalism, both characteristics of the period that follows. In the age reviewed by Mr. Adams there was a "marked decline in the position of the clergy. The rough camp life of the war and the added impulse given to the spread of deism and even atheism by the English troops and officers who came over imbued with rationalistic principles, undoubtedly had some effect on the religious life of the colonies. The decline in political influence of the clergy, however, had been going on for decades. In some sections this was partly due to the inferior quality of the clergy themselves, but on the whole somewhat the same influences seem to have been at work as in our own day, the growth of an educated laity and distrust of clerical leadership in lay affairs" (pp. 314-315). We need not wonder at this development; see Mr. Adams' characterization of Jonathan Edward's preaching which was a tremendous factor in bringing about the "Great Awakening": "In spite of much original sweetness both of mind and character, Edwards deliberately preached the most damnatory doctrine in the name of Christ which it is possible to conceive. Content neither to rest in suspense upon the insoluble problem of the existence of evil, not to accept as an act of faith the doctrine of God as love, which was preached by the founder of that religion of which Edwards had been ordained a minister, he described God as a being with no more pity than a fiend, holding those that had striven for righteousness, as well as the abandoned, 'over the pit of hell, much as one holds a spider, or some loathsome insect, over the fire' and rejoicing, in a manner which would shock the most degenerate human criminal, over the consequences of the evil of which He was himself the author. To this had New England Puritanism come at last" (pp. 282, 283). Not a little of the growing radicalism is traced to land speculation. Many had come to the colonies to escape the entanglements, the hindrances, the restraints of the Old World, but they found it hard to get title to their land or town rights here because of land engrossers and town proprietors. "Written in invisible ink" in the earlier eighteenth century this discontent became visible in the period of the revolution and after when the upper classes found it necessary to make a variety of political moves "to thwart the awak-

ened consciousness and the frequently crude efforts at self-assertion of the farmers and artisans" (p. 257).

The arts, education and the higher life receive much attention. Of great importance constitutionally is the observation that while Montesquieu was widely read in the colonies, Rousseau's *Contrat Social* (1764) was hardly noticed (p. 387). There is a valuable list of the subscription libraries that sprang up in the period in response to the growth of the reading habit (p. 304 note), and an interesting observation on the cost of candle-light (p. 303), a not inconsiderable factor in the development of this habit.

Food for immediate thought is afforded by Mr. Adams' remark on art. While he finds his period one in which the art of the people is on the decline, there is notable development of art for the rich. This is not as it should be. Puritanism, but above all the material struggle with the environment are the reasons he cites for this state of affairs in the artistic world, but with the saving observation that "no explanation . . . . . is wholly adequate" (p. 141). Yet there is little cause in this situation for us to complain about the low aesthetic sense of the provincial era, for what is the situation in our day. To quote: "In spite of the hordes who troop through the museums what is the aesthetic taste of the great bulk of that element today? It may be studied in the popular radio program, the pictures on the movies screen, the colored supplements of the Sunday papers, and the catalogue of any large mail-order house. What, moreover, is its artistic product? The only answer is that it is nonexistent. Its craftsmanship finds expression in changing the washers of the faucets or tinkering with the Ford. Art today, to a considerable extent, is like one of those floating islands of roots and branches bound together and covered with soil and vegetation but which have no foundation and are sustained in insulation above the earth" (p. 140).

With Professor Fish's book, *The Rise of the Common Man*, we come into the national period of American life, 1830-1850. The volume is admirably introduced by the editors and the author orients us most successfully in his opening chapter. The period, he tells us, is characterized by an intense Americanism, a high optimism, and a consuming passion for equality. How-

ever much Americans were still dependent on Europe culturally, they felt that they were not. They resented the criticisms of European travelers though these writers by their criticisms attested the fact which we so emphatically asserted, that we were different. Different Americans were. Travellers quite properly observed the prevalence of chewing tobacco and hence the ubiquity of the cuspidor, of rapid eating, of display in dress especially in feminine dress, of yarn spinning, of a love for the sensational—this was the day of the circus and of Barnum. Yet this was the period in which "Emerson read and imported the doctrine of German philosophers; Calhoun studied and utilized the writings of such Englishmen as Austin, Cobden and Bright; William Lloyd Garrison brought to America English abolitionists; Father Matthew preached temperance in America and Ireland" (p. 32).

Politically, too, Americans deemed themselves most independent. We would not let Europeans interfere with the Americas, nor would we meddle with European affairs. Jackson occupied the center of the stage, and Professor Fish's second chapter provides the reader with an admirable description of the social background of his administration, with its criterion of service in the campaign of 1828 for political reward, the spoils system, the growth of the convention in party politics. The war on the bank is indicative of the anti-monopolistic spirit of the Jackson era: The corporations must be made "safe for democracy." If America is America, the attitude of at least some Americans toward the poor Irish Catholic immigrant of these decades finds ready explanation. They were adherents of a great monarchial, therefore, anti-republican, firmly established European, therefore, not American church. They gathered in the cities and early manifested an aptitude for ward politics and the duties of policemen. The unfriendly disposition of the native sons, the expression of their prejudice in unfortunate mob violence made these English-speaking foreigners cling together. They became a faction in politics. Clinging to the Jackson democracy they helped to defeat Clay in 1844. The Whigs at least partly consoled themselves by saying that the "nation that England governed, governed America" (p. 115). Clay, however, pursued a wiser course; The Irish Catholics were too strong to be ignored.

They must be won over or divided. So also Seward who cultivated the friendship of Archbishop Hughes. On the whole Professor Fish's book pays more attention to politics than do the others so far reviewed.

Americans of the period were intensely optimistic; they "were nearly all millenarians." Politically they were convinced that "they themselves would see the realization of human happiness" (p. 3). Few boys were not often told that they might be president; every man was a king in this land. Professor Fish finds a partial explanation for this feeling in the realization of America's economic wealth and in the feeling that the men of the country were about to enter upon the possession of it. This was indeed an age of material development. The author was confronted by a huge task when he had to synthesize the far-reaching effects of the growth of American shipping, of roads, of canals, of railroads, of the early factories, of labor and its problems, of such wonder working inventions as the telegraph, the reaper, the rotary printing-press, the sewing machine, the daguerreotype process, Colt's revolver, stoves, oil, lamps, tin kitchenware, etc., etc. The North was marching on in industry, the South in the cultivation of cotton, the west in agriculture. "Unable to coin its dreams, many (western) states printed them and then discounted them in the money markets of the East and of Europe" (p. 37). Later the west just as vigorously and with more success insisted upon the realization of its dreams about the manifest destiny of the nation to reach the Pacific.

Withal, too, there was a passion for equality. Manners became less formal; the attire of men descended to the prosaic pantaloon age. Jackson was the ideal even when he failed of successors that worked *ad mentem suam*. This Jacksonism in part accounts for the laggard pace of artistic achievement. The Greek colonies had come to art in less time than did America, but the Greek colonies had not had so vast a new world to conquer. Religion, too, had come to be the preoccupation of women rather than of men and religion, perhaps, not of the Calvinistic type, has always fostered art. Yet in these decades arose some of our leading writers and artists. In spite of the decline of religious influence preachers like William Ellery Channing, Theodore Parker and Henry Ward Beecher, attained a national repu-

tation that has not faded. There were great educators—Horace Mann, Mark Hopkins whose "log" was Williams College, and others.

With fears that the high quality of the *opus* may fail we turn to Professor Nevins' volume, *The Emergence of Modern America, 1865-1878*. Our fears prove unfounded. His task, too, is difficult—he writes of an American life that has just passed away; its ugly moods and ways have not been dimmed by time and the charity it suggests. Professor Nevins' work abounds in admirable pictures. Chapter five "The West at Work," (pp. 127 *seq.*) will be hard to match. Well worth noticing, too, is his discussion of the international character of the later panics and the analysis of their causes (pp. 290 *seq.*); and incidentally the beginnings of the "tramp" evil in connection with the crisis of 1873. Much attention is naturally given to the railroads. The record of the Pennsylvania Railroad appears in all its corporate selfishness as it might today if all were told. Cleveland prospered and Pittsburgh suffered. The former lay along the routes of competing lines. The latter became the victim of the monopoly of traffic which the Pennsylvania succeeded in establishing between Philadelphia and the western boundary of the commonwealth. "J. Edgar Thompson," the "shrewd" head of the Pennsylvania System, "used the Pennsylvania legislature as he needed it" (p. 64). "With such men (Cameron, Lincoln's Secretary of War, Don, Cameron's successor, Quay, Senator from Pennsylvania) as these in power and with such corporations as the Pennsylvania Railroad and the coal companies insisting on glaring special privileges at the cost of the public, corruption was unescapable" (p. 181). Railroad corruption is illustrated in other connections. Freight rates were raised in the mid west during the winter season when the lake boats were ice bound, and lowered in April when they could compete with rail traffic (p. 67).

Our culture was broadened as our mid west was developed. Professor Nevins well notes the cultural importance of the University of Michigan at a time when new ideas were constantly combatted in the eastern seats of learning. The struggle of the liberal arts school to rise at Illinois is perhaps far more typical than Professor Nevins has occasion to notice. Today this strug-

gle is going on in other "land-grant" colleges. There are millions at hand for agricultural and industrial research but not one cent for sociological research, and less for research along cultural lines. To quote: "At the University of Illinois—at first called the Industrial University—there was a powerful movement to exclude liberal studies, specialize in practical branches, and diffuse knowledge among the farmers and mechanics by an elaborate system of correspondence. It was with difficulty that the university head persuaded the indignant agricultural societies of Illinois that there was a legal provision against exclusion of the classical studies. But generally in the West there arose a feeling that the doors of higher education had at last swung wide for the producing masses, for women as well as for men, and for utilitarian as well as cultural pursuits. To many the new democratic movement in education was a fervent crusade" (p. 274). How far behind the times some of our eastern commonwealths are! The significance of the coming of midwestern writers and artists to the east also does not escape Professor Nevins. And graphic are his chapters on the recovery of the South and the self-assertion of the laborer of the North.

In Professor Wertenbaker's book we have already called attention to his ignoring of Maryland. He also ignores the Dutch of New York. Can they or the Catholics of Maryland be passed over so lightly? In Professor Nevins' book we think the statement of his views on divorce uncalled for by his task (pp. 215-216). Some statements about the role of Noah Porter seem contradictory (pp. 268, 271, 281, 286).

The Oxford History of the United States, 1783-1917. By S. E. Morison. Oxford University Press, American Branch. New York. 1917. 2 vols. Pp. xvi, 461; x, 531.

This work was produced in English fashion for the English public. Quite characteristic are observations of the sort, "the Adams family have generally been right, but they are uncommonly disagreeable about it" (I, 215). One will find, also, very familiar terms translated as it were into English: e. g. railway carriages; or explained in footnotes, e. g. prairie. The English atmosphere of the work is most delightful. Dr. Morison, of New

England, seems to have become thoroughly English. Unfortunately, however, he has retained some of his New England bias. Englishmen naturally will rely on his work—an American who has studied to become an Englishman certainly deserves their confidence. Few of them may discover his leanings. To us they are very evident. New Englanders migrated westward "through the funnel of Western Virginia and Kentucky" in groups rather than as individuals or in family units like the Pennsylvanians and Southerners. He thinks "the New England way (of migrating) preserved the rudiments of civilization—the church, the common school, and instinct for orderly government, and a way of life that found room for contemplation, if slight place for beauty." The way of the other type of men sloughed "off the slight cultural equipment he brought from a society where isolation was the normal condition, and self-assertion the dominant trait . . . . the Southern pioneer often had to descend to the redskin's level before he could rise again; and the leaven that made him rise was not infrequently furnished by a New England neighbor or by a slave-holder, bringing his Montesquieu and his *Spectator* west with his slaves." This generalization is modified, not in the text, but in a footnote (I, 192). In view of the analyses of our past in Mr. John Truslow Adams' recent volume in the *History of American Life* series, reviewed elsewhere in this issue, this generalization has few bases in fact. Again, in a survey of conditions in the several states when Washington began his term, North Carolina is described as "a farming democracy, aided by rather than based upon chattel slavery. . . . For such a community a democratic polity was natural and inevitable; but without the leaven of popular education, a landlocked region was not apt to make much progress. Only by leaving the state did such North Carolinians as Walter H. Page rise above the level of honest mediocrity that has characterized North Carolina statesmanship from the eighteenth century to the twentieth" (I, 35, 36). Page unquestionably deserves to stand high in the estimation of Englishmen, if not in that of diplomats conscious of their duties to their own governments. This point may be ignored; certainly not the sweeping judgment, leaping over the whole of a century in the history of what Americans quite correctly consider a progressive commonwealth (I, 35, 36). At

the end of this chapter occurs: "The American of today, with all his wealth, pride, and power, is still unmistakeably young, inexperienced, creative in energy but not in thought" (I, 42). We are not in a mood to multiply examples.

Some may quarrel also with Dr. Morison's assignments of space. The Washington and Adams terms, twelve years, are given from page 98 to 225 of the first volume; Jefferson, from page 225 to page 265. In 312 pages he has reached the end of the war of 1812. In about the same number of pages of the second volume he has reached the death of Lincoln. Pages 324 to 474, 150 in all, deal with the fifty-two years in which the United States grew by leaps and bounds to the stature of a first-rate power, years when New England ceased to be what New Englanders thought it was, the center of the American universe.

Such an assignment of space, however, has its compensations. To the reviewer the last half century is not attractive. It is unlovely in its material development. Possibly, too, the American Oxford scholar has the same feeling about this recent age. We are pleased with what he has done. We would not for a world be without Dr. Morison's charming description of the years which preceded the close of the Civil War. Jefferson and Hamilton are admirably done; done, too, in a manner that may prove profitable for some Americans who do not always see themselves in their statesmen as others see them. On every page we meet with the charm that makes Oxford Oxford, apt, terse writing of a rare literary quality. In strong contrast with what the new governments of Europe took over from their monarchial predecessors, Dr. Morison notes what the Washington administration could take over from its predecessor, the government of the Continental Congress,— "The American Confederation left nothing but a dozen clerks with their pay in arrears, an empty treasury, and a burden of debt" (I, 100). How keen the observation of American character: "for the most part he (Genet) was a victim of the American humorous curiosity that loves to gape at distinguished foreigners, and to observe them make fools of themselves" (I, 153)! At times, too, Dr. Morison quietly states thoughts that an Englishman may well ponder. Speaking of the differences between the west and the east in the United States on 1788-1796, he says: "If the United

States escaped a civil war between East and West, between the people of the original Thirteen States and their pioneer kindred, it was because these problems were quickly put in the way of solution. The process of colonization went on with so little reference to politics, as to obscure the fact that the United States has been the most successful colonizing power in the nineteenth century. No other people have subdued so vast an expanse of wilderness to their own form of civilization in so brief a period of time, with so little human friction" (I, 185). And we are in a mood to multiply examples and could—there are many of them—if we would not have our readers enjoy Dr. Morison for themselves.

F. J. TSCHAN.

A History of Railways in Ireland. By J. C. Conroy. Longmans, Green & Co., London: 1928, Pp. 386.

Ireland has produced too many books of propaganda and too few studies of a scientifically historical nature. Economic history has not been featured; yet, if Ireland is to develop a sound policy of reconstruction in the Free State and in the Northern Counties, attention must be paid to an understanding of the fundamental economic problems and industrial and agricultural possibilities. Ireland requires a school of trained investigators who will study agricultural reforms, housing programmes, electrification schemes, tariff regulations, manufacturing outlook, foreign and British trade advancement, fisheries, tourist trade, internal transportation, marketing, land tenures, and possible inducements for foreign capital. Such studies would give the Dail Eireann a basis for intelligent, well considered legislation and relief from futile discussions of the responsibility for the late, scandalous Civil War. Indeed, it might be well if the nation wasted less time on the ancient dialect and learned the language of industrial progress.

There are some hopeful signs. The Northern government is publishing excellent statistical reports, and the Free State department of commerce and industry under trained statisticians, Professors Hooper and Geary, has just published a noteworthy brochure, *Agricultural Statistics 1847-1926* (Pp. 162). The

National University's department of economics is doing an exceptional service through Dr. George O'Brien, whose pioneer volumes on Irish economic development from the beginning of the seventeenth century to the great Famine are attracting a circle of young scholars like Mr. J. C. Conroy to undertake more specialized researches in the same field. Mr. Conroy's study of Irish railroads will introduce a number of equally valuable works which will appear in the near future.

An adequate notice and resumé of Mr. Conroy's book would have little immediate interest to American readers, for Ireland's railway problems have nothing in common with those of America. It is a thorough study based upon Parliamentary reports, railroad reports, and a slight reading of certain newspapers and some of the pamphlet literature in which the Royal Irish Academy is so rich. Commencing with the construction of the six-mile railway from Dublin to Kingston in 1831-1834, the volume traces the slow, tedious development of railroads and their destructive obstacles until the present depressing railway crisis due to motor competition and the separation of the little island into two rival states. Curiously the Drummond plan of 1836 called for two general systems, northern and southern, but Parliament rejected this scheme as it was unwilling to surrender the laissez-faire principle or recognize how different were Irish railway problems from those of England. Hence in a hit and miss fashion independent lines were built from time to time. Always in dire straits, never a sound investment, and ever inefficient, the Irish railroads faced a dubious future in a land where industry failed to develop, where population decreased, and where agriculture declined. Not until recently was there a radical step of unification, when the Free State railroads were consolidated. Mr. Conroy offers no sanguine solution of difficulties which are aggravated by the artificial boundary which the Great Northern crosses six times in seven miles. The County Donegal railways are in the strange position of having only five miles of their track in the North and their head offices in Belfast, while the Great Northern has its chief offices in Dublin and the bulk of its mileage in the Six Counties. The author seems to regard this division as definitive, though he favors the

elimination of competition in the transport business even to the extent of co-ordination of motor routes with the railways.

RICHARD J. PURCELL, PH.D.

Catullus and Horace. Two Poets in Their Environment. By Tenney Frank, Professor of Latin, Johns Hopkins University. New York: Henry Holt and Co. 1927. Pp. 291.

This volume is a valuable contribution to our works in English on the poetry of the Golden Age of Latin literature. We are already indebted to Professor Frank for an excellent study on Vergil and it is a pleasure to find that he has maintained the same high standard of scholarship in his treatment of Catullus and Horace. Through his unrivalled knowledge of the history—particularly the social and economic history—of the last century of the Roman Republic, he has again been enabled to present old facts in a new and clearer light and, in more than one instance, to offer a convincing solution of an old problem.

The book comprises eleven chapters which are entitled as follows: I. *Catullus at Verona;* II. *Catullus and Clodia;* III. *"Miser Catulle";* IV. *The Circle of Catullus;* V. *Epic Romance;* VI. *Transition;* VII. *Horace, the Republican;* VIII. *The Satirist;* IX. *Life in the Sabine Hills;* X. *Odes, Lyrical and Didactic;* XI. *Epistles and Literary Theory.* This last chapter is followed by several pages of well chosen notes. As these notes contain much in a bibliographical way, they enhance considerably the value of the book. The work is furnished with a brief but adequate index.

So much in general. Let us now take up a few points in detail.

The chapters intitled *Epic Romance, Transition,* and *The Satirist,* are particularly well worth careful reading. In treating of the epic romance the author embodies the results of the latest researches in this genre of Hellenistic Poetry—and much has been added to our knowledge in the last two decades. Those who are familiar with Professor Frank's *Vergil* will not be surprised to find him again ascribing without hesitation Vergilian authorship to the *Ciris* and other poems of the so called *Appendix Vergiliana.* The next chapter, *Transition,* is, in the opinion

of the reviewer, one of the best in the book. Catullus and Horace were representatives of different ideas and tendencies—a fact of which Horace himself was if anything too firmly convinced. Professor Frank submits these ideas and tendencies to a searching analysis and as a result we get a deeper and clearer understanding of the development of Latin poetry in the Golden Age. The chapter entitled *The Satirist* contains a short but excellent sketch of the history of Roman Satire and a discussion of the interesting word *satura* in the light of the latest evidence.

We owe a debt of gratitude to Professor Frank for this delightful and valuable work. From the fullness of a knowledge tempered by a mature and discerning judgment he has given us a fresh, vivid, and accurate picture of the lives and times of two great poets of the world's literature.

The book is remarkably free from misprints. I have noted only the following slip: on page 63, line 9, "Rhine" is obviously a misprint for "Rhone."

Lastly: the attractiveness and charm of the work is not lessened by the fact that it is written in a simple and unaffected style.

MARTIN R. P. MCGUIRE.

Virginia and the French and Indian War. By Hayes Baker-Crothers. University of Chicago Press: 1928. Pp. 179. $2.

Professor Crothers of the University of Maryland, joint author with his wife, Ruth Allison Hudnut, M.A., of an excellent volume *Problems of Citizenship,* offers in *Virginia and the French and Indian War,* a model work of sound scholarship which explains from the colonial viewpoint the attitude of the people of Virginia toward a war which they considered in the interest of English expansion. Some men there were, who were far seeing enough to realize the momentous consequences of this fourth and final conflict between France and England in North America. They realized what it meant to Virginia as well as to the empire. Few Virginians, however, were imperialists. The bulk of the people, whether of the coast region, the piedmont, or the frontier, had a Babbit outlook which was bounded by their own horizon and petty provincial interests. This is Doctor

Crother's thesis, and upon this thesis he has brought to bear a thorough knowledge of the materials, manuscript and printed, source and secondary, which are to be found in the British archives and American repositories. The sources are carefully described in a modern bibliography, and the facts are put forth in simple and concise form. There is not a complicated or an unnecessary sentence. There are no lengthy quotations to increase the size of the tome, for the writer in scientific fashion has digested his material for the reader who is given precise references for every statement.

A study of the colonial participation in the French and Indian war interprets the difficulties which prevented united and whole-hearted support of the Revolution. One sees the divisions in Virginia between the poor who were expected to furnish volunteer soldiers in 1754 and the small group of traders and land speculators who were joint stock-holders with English adventurers in the Ohio Company. One notes how complacently the tidewater planters could watch raids upon the frontier region of the Scotch-Irish, Germans and the freed indentured servants. One watches the struggle of the aggressive fur trader and imperialist, Governor Dinwiddie, with the representative House of Burgesses which so niggardly provided for volunteers and supplies. One sees Washington after his defeat in 1754 losing the governor's confidence. One recognizes the divisions between the colonies: New York and New England trading with the French enemy; the dominant Pennsylvania Quakers refusing to vote supplies and finally losing their control of the Assembly; the bitter particularism of South Carolina and Governor Glenn; the hostility in Maryland between Governor Sharpe and his parochial-minded legislature which prevented even a fair degree of support; and each colony anxious to protect its own frontier from raids but unmindful of its neighbors' or England's interests.

England could not force unity of action. The Albany Conference served no purpose. Even when Pitt took the helm and organized victory, there was little enthusiasm in the South. Shirley and Pepperell might inspire pride in New Englanders but not so in the subjects of the central and southern colonies. Braddock's defeat caused in part by lack of military support

made Virginians as well as Indians aware that British arms were not invincible. A Virginian led the little force back to civilization and safety. This was not forgotten. If England wanted to push the French out of the Ohio and end France's dominion in the North, the Virginian people like the inhabitants of their neighboring colonies were willing that England should do so. There was no land hunger, and western lands were the source of only desperate rivalries on the part of the fur-trading and ruling imperialist groups in the various claimant colonies. Governors Dinwiddie, Sharpe, Glenn, and Hamilton were as far apart as the colonies which they technically governed. Loyalty to England was not marked, though there was an hereditary hatred of the French aggravated by raids and massacres. English soldiers were looked upon as half-foreign by colonial militiamen, and they in turn regarded frontiersmen in no high light. Nor did the officers of the Royal American regiments think more highly of colonial commanders.

As one reads this volume, it becomes more evident that the Seven Years' War was won on the Continent, in India, and on the high seas. The southern colonies were not adverse to taking advantage of British success. Soon their people pushed over the mountains and sought a larger share of the lucrative Indian trade. As one ponders over colonial rivalries and colonial sectionalism, it makes more difficult an understanding of the fairly united front New England, New York, Maryland, and Virginia offered in 1776. Possibly it was because the frontiersmen and the so-called Scotch-Irish were breaking down aristocratic control in some of the colonies. This work is thus important not only as a study of the American sector of the Seven Years' War but as an interpretation of the preliminaries and the problems of the Revolution.

RICHARD J. PURCELL, PH.D.

The United States of America: Studies in Physical, Regional, Industrial, and Human Geography. By Albert Perry Brigham. Oxford University Press, American Branch. New York, London: 1927. Pp. x, 308.

Dr. Brigham, of Colgate, is his own best reviewer. "This volume," he says in the preface, "is based on a course of lectures

given at the University of London in February, 1924. The University Press kindly asked the author to include additional subjects and offer a short text suited to the later secondary and earlier university years. The volume is not to be taken as a geography of the United States,—it is a series of studies in important phases of American geography. It may be used by schools, reading circles and by the general reader on either side of the Atlantic. Being a small work on a large subject, its motive must be to give a panoramic outlook on leading facts and principles" (p. v). In fifteen chapters, every one full of life, and as clear as can be, Dr. Brigham surveys the American domain, outlines its physiographic provinces, and tells of the climate, distribution of population, the racial composition, agriculture, forests, mines, manufactures, transportation, commerce, education, traditions and language, the political statehood complex and the unity of the American nation. There is in these chapters much of interest not suggested by their titles: e. g. the nicknames of the states are not to be taken too seriously; they "have a total, if not always individual significance. They are not used in derision, but in a familiar, sometimes half-humorous sense, and often expressive of affection. They are popular and real, even if rude expression of a kind of state personality" (p. 261). Is it, however, too much to say that, for example, Pennsylvania has a state University. Pennsylvania has such and it is doing admirable work in spite of the fact that the commonwealth granted it less than three million dollars for land and buildings in the seventy years it has served the public. Some things, perhaps, Englishmen should not be told or could not be told in a volume such as Dr. Brigham's. American wastefulness is scored justly and often. This volume should not escape American librarians and readers.

Cashel of the Kings, a History of the Ancient Capital of Munster from the date of its foundation until the present day. By Rev. John Gleeson, P. P., James Duffy and Co., Dublin: 1927. Pp. 312 (10 s. 6d.)

Father Gleeson of Lorrha, County Tipperary, though an amateur historian, has compiled from original and secondary sources

a volume of material dealing with Cashel, its kings, archbishops, and ruins. It is not a history in any sense of the term, but it is an interesting book for any loyal Irishman and especially for the sons of the premier county of Tipperary. As such, *Cashel of the Kings*, well printed and excellently illustrated, deserves a place in every Irish library.

The critical student will miss a bibliography and footnote references to the full and innumerable quotations from a considerable Irish library in which the Rock and its heroes have been considered. The general reader will catch glimpses of St. Patrick at Cashel as he viewed from a druidical altar the golden vein of Tipperary, the Suir threading its way through the forest and field, and the Devil's Bit in the Galtee Mountains. He will see something of Milesian social life: kings, chieftains, gallowglasses, freemen, bishops, and priests. He will learn of the O'Briens, Clontarf and the Danes, the coming of the Normans, Hadrian's Bull, the synod of Cashel, the Butlers, Geraldines, the imposed Reformation, the conformist bishops, and the proscribed Catholic bishops. He will seek the Rock in all its glory: the coronation stone of the Kings of Munster, the cross of St. Patrick, the chapel of Cormac, the great Cathedral, the ancient Round Tower, the strongly fortified walls, and the neighboring monasteries. And, he will see the Rock in its imposing ruins,—symbolic of Ireland's sad story of disunion.

The author has accomplished his purpose, a compilation of all the details of Cashel's centuries of history as a contribution to the labors of some future historian who will finally write a scholarly history of Ireland. This he believes will be possible when careful local histories have been compiled, the National University develops a school of history and a freed nation offers an inspiring theme.

RICHARD J. PURCELL, PH.D.

The History of Yaballaha III, Nestorian Patriarch, and of his Vicar, Bar Sauma, Mongol Ambassador to the Frankish Courts at the end of the Thirteenth Century. Translated from the Syriac and annotated by James A. Montgomery. *Records of Civilization: Sources and Studies* (ed. Austin P.

Evans). New York: Columbia University Press. 1927. Pp. (viii), 82.

Our interest in this small volume is twofold in nature. First, the work is evidence of the realization of our faith in the *Records of Civilization* series under the editorship of Professor Evans. This faith we have expressed in a review of Williams' *Guide to the Printed Materials for English Social and Economic History, 1750-1850 (Cath. Hist. Rev.*, VII. (Oct., 1927), 534).

Second, the work is an important contribution to the history of our relations between the Far East and Europe in the Mongol period. Yaballaha and his vicar were probably born in China, though they were no doubt of Turkish race. They wandered westward on a pilgrimage to Jerusalem but stopped at Bagdad where Yaballaha got his patriarchate and his commission from the Mongol King Arghan to get western aid for his contemplated conquest of Syria and Palestine. Professor Montgomery has translated only about half of the Syriac account of these oriental counterparts of Carpini, Rubruquis, Polo and others, the parts that identify the men, that tell of their rise to importance, and that describe their western experiences. Medieval records, western as well as eastern, require ample annotating to make them usable by the modern reader. The translator has, therefore, carefully supplied us with this necessary collateral knowledge and with titles to works in which more extensive notices may be found. With this guidance on every page the simple story of the embassy becomes tremendously interesting. Yaballaha and Bar Sauma speak of the medieval churches and the ceremonies in them on the great feasts, an eruption of Aetna, the perpetual summer on the Riviera, the University of Paris, Rome with its popes and cardinals, and of many other things. We are vouchsafed, therefore, a glimpse of ourselves as we appeared in our Middle Age to observing Oriental eyes.

A History of American Foreign Relations. By Louis Martin Sears. New York: Thomas Y. Crowell Company. Copyr. 1927. Pp. xiv, 648.

Professor Sears' book deserves the attention of students of diplomacy and of American history. It is a happy blending of

the diplomatic and the historical. The colonial period is quite properly dismissed in a chapter for in reality we then had no diplomatic history of our own. In the national period the treatment is both detailed as to incident and general as to tendencies. The material is topically treated. Distinct introductory and, sometimes, concluding paragraphs indicate the drift of our diplomacy or set behind it a background of proper historical fact. Professor Sears also has a way of pointing out practical results. For example, he notes the bearing of the American Revolution upon the French upheaval of 1789 (p. 37); that if by Jay's treaty England had got what she desired, we should not now have either the valuable Lake Superior ore region or the rich northwestern wheat fields. "Neither Jay nor Grenville could foresee the importance of their agreement" (p. 71). And so, we observe, weighty matters are often settled in ignorance. A sense of fairness is evident throughout the book. France, for instance, had no right to sell Louisiana and Spain had a right to be vexed (p. 101). Seward is blamed for approaching "his task with the conviction of his own superiority to Lincoln" when "discipline and *esprit de corps* requires subordination" (p. 307). The secretary also is praised for at least "one decision of infinite wisdom and importance," that of selecting Charles Francis Adams for the mission to England, to whom Lincoln "was scarcely courteous" (p. 308). Seward also is credited for the inauguration of a diplomatic policy that, anticipating the advance of our westward-moving frontier, reached out across the Pacific. His eastern policy "marks him as the most constructive statesman since Webster. It betokens a creative intelligence not seen again till Hay, for American Far Eastern policy dwindled in significance from Seward's retirement till the century's close, and when it resumed a positive course it followed lines laid down by Humphrey Marshall and ratified by Seward" (p. 338). Incidentally, let us say that Professor Sears' treatment of our oriental policy is thoroughly good. Equally fair is Professor Sears in respect to the diplomacy of the Spanish-American war. Unfortunately he has nothing to say about our negotiations with the Vatican in the matter of dissolving the union of the church and state in the Philippines, Cuba, and Porto Rico. Though there is much evidence of William E. Dodd's views throughout the

book, its author does not follow the Chicago scholar in his treatment of Wilson. Wilson's merits and demerits seem to us, with due allowances for the lack of perspective of both the reviewed and the reviewer, to be as fairly appraised as were Seward's. Interesting is an observation in a footnote, page 302, about A. A. Hayes' remarks in *The Atlantic Monthly*, that without the aid of English guns the United States would not have entered China. Professor Sears' observation is, "The Anglophile tendencies of the most influential classes in America from Timothy Pickering to John Hay and Walter Hines Page would make an elusive but interesting study." A practical illustration of this tendency appears on page 523.

> "It is natural for ambassadors to enter sympathetically into the problems of the nations to which they are accredited. They move in influential circles. They learn the hopes and aims of charming and hospitable people. To refuse to share them is almost churlish. In the World War, this rule held true. American ambassadors at London, Paris, Brussels, and Rome were not mere onlookers, but were friends in time of trouble. A notable exception was James W. Gerard, our ambassador at Berlin, whose antagonisms to the German government and all it represented grew daily more pronounced. His point of view is curiously confirmed by Prince Lichnowsky, German ambassador to London, who from the outset believed his country in the wrong, and himself to be the cats-paw of a sinister conspiracy.
>
> Natural as this feeling is among ambassadors, one reads the letters of Walter Hines Page, our own ambassador at London, with a tinge of regret that in entering so sympathetically into the hopes and objects of Great Britain, he became impatient with Wilson's greater detachment, and was more annoyed than Sir Edward Grey himself when instructions made it necessary for him to press the claims of American traders, some of them pro-German, for damages at the hands of England. His natural and well justified esteem for Britain has earned for Page the affectionate gratitude of his hosts."

The diplomatic side of familiar domestic episodes is also revealed now and then. The story of the Peggy O'Neale affair of Jackson's time is well narrated for its diplomatic effects (pp. 198-201), and Grant-time domestic turpitude is noted in the

Schenck scandal (pp. 363-364). The importance of Archbishop Hughes in the hands of Seward is noted (p. 326); also the attitude of the papacy toward the South (p. 326), and the efforts of Archbishop Ireland to avert war in 1898 (p. 439). Differences of opinion are almost unavoidable. We do not think that Menendez massacred the Hugenots in Florida "in a mingled rage of bigotry and patriotism" (p. 5). In view of Goebel's thesis, reviewed elsewhere in this issue we must disagree with, "Spain upheld the ancient right of discovery alone as granting title to a region; England contended for the more modern interpretation that only settlements can validate a claim" (p. 59). Finally, is not "Pomba" more generally known as Pombal (p. 24)?

FRANCIS J. TSCHAN.

Sir John Hawkins, the Time and the Man. By James A. Williamson. Oxford University Press. American Branch. New York: 1927. Pp. xii, 542.

A book by Mr. Williamson in the field of colonial history is always welcome. There is always new material brought to light or old material newly interpreted. For this volume the mass of documents calendared by the Public Record Office was newly worked. The Admirality Court records, as yet scarcely used, were ransacked. A new account of Hawkin's third slaving voyage came to light in the Cotton Mss. in the British Museum. These new, or reviewed sources together with Mr. Williamson's own ripe scholarship make this volume significant, for there is real danger of Hawkin's story becoming stereotyped in an incorrect form. There is, however, much besides Hawkins in this volume; notably, an excellent chapter on the history of the English navy to 1577 and on the affair of the Armada in 1588. The newly discovered account of the third slaving voyage (Cotton Mss.) is printed in an appendix.

The Crusades and Other Historical Essays Presented to Dana C. Munro by His Former Students. Edited by Louis J. Paetow. New York: F. S. Crofts & Company. 1928. Pp. x 419.

It was indeed a happy thought that inspired a group of the former students of Professor Dana C. Munro to present this

volume as a *Festgabe* to their old master, for a number of valuable historical studies are thus made quite accessible to other scholars and to the more select circles of the reading public. The work contains twelve essays, and, as the title implies, is divided into two parts. Part One contains eight essays on the Crusades, entitled as follows: I. The Great German Pilgrimage of 1064-1065; II. The Pope's Plan for the First Crusade; III. A Neglected Passage in the *Gesta* and Its Bearing on the Literature of the First Crusade; IV. Robert II of Flanders in the First Crusade; V. Albert of Aachen and the County of Edessa; VI. The Genoese Colonies in Syria; VII. A Twelfth Century Preacher—Fulls of Neuilly; VIII. The Crusading Ardor of John of Garland. Part Two has four miscellaneous essays entitled: IX. An Exchequer Reform Under Edward I; X. Lord Haldane's Mission to Berlin in 1912; XI. Sources of Diplomatic History and the Control of Foreign Affairs; XII. Rockbridge County, Virginia, in 1835: A Study of Ante-Bellum Society. The book further contains a list of the writings of Professor Munro, a list of patrons, and, most fortunately, an exhaustive and carefully compiled index (pp. 379-419).

The essays are, of course, of unequal value, but on the whole they are above the level ordinarily attained in books of this type. Thus the study of Professor Joranson on the Great German Pilgrimage and the essay of Professor Paetow on John of Garland are very well done; and in Part Two Professor Lingelbach's essay on the sources of Diplomatic History is really an excellent sketch of modern diplomacy and the difficult problems that now confront the student of this subject.

MARTIN R. P. MCGUIRE.

NOTICES

Research in the Humanistic and Social Sciences, the report of a survey conducted for the American Council of Learned Societies, edited by Frederick Austin Ogg, Ph.D., has recently been published by the Century Company of New York. This report of the survey, made possible by a subvention from the Carnegie Corporation of New York and carried out in 1926-1927, is a valuable book which will do much toward bringing about a greater co-ordination and co-operation of effort in research in the sciences in question in this country. It is needless to discuss the book in detail as the list of chapter headings will give an adequate idea of its nature and scope: I. Introductory: Scope and Method of Inquiry; II. The Problem of Research in the United States; III. The Universities as Research Centres: General Aspects; IV. Significant Developments in Certain Universities; V. Research Needs in Universities; VI. Research in the College; VII. Learned Societies and Research: Societies with General Interests; VIII. Learned Societies and Research: Societies Devoted to Particular Disciplines; IX. Research Councils, Institutes, and Bureaus; X. Research Institutes and Bureaus: History and Economics; XI. Research Institutes and Bureaus: Political Science and Sociology; XII. Research Activities of Miscellaneous National and Local Organizations; XIII. Private Business and Research; XIV. Research Work of Governmental Agencies; XV. Foundations and Endowments in Relation to Research; XVI. Libraries as Aids to Research; XVIII. Fellowships, Prizes, and Other Pecuniary Aids or Rewards. The book contains, furthermore, an appendix in the form of a very valuable Bibliography of Humanistic and Social Research, and a good index.

M. R. P. M.

Cardinal Mercier, a life of Belgium's cardinal and patriot by Monsignor Laveille, a compatriot of the great churchman and Vicar-General of Meux, has been translated from the French by Arthur Livingstone and published by The Century Company. This volume appears almost simultaneously with the translation of a life by Henry Louis Dubly. In ten vivid chapters Monsignor Laveille gives a critical appreciation of the Cardinal's many activities and paints a stirring picture of the kindly scholar rising up as the great-hearted defender of his stricken country. The volume will receive more extended notice in a future issue of the *Review*.

American Neutrality and International Police, by Dr. Philip C. Jessup, Assistant Professor of International Law in Columbia University, is a World Peace Foundation publication, which, apart from its primary purpose of indicating "the present situation" as it is affected by efforts looking to the outlawry of war and particularly, perhaps, by that represented by the "Kellog Pact," gives a scholarly and painstaking treatment of the meaning of neutrality as it is viewed in the light of international relations of today. Dr. Jessup's work limited though it is in extent, evidences a keen and close study of the subject under discussion and constitutes an invaluable aid to the student of International Law as well as a storehouse of information for the lay student of international relations.

The Forty-second Annual Report of the Bureau of American Ethnology which has just been published gives an account, with a wealth of valuable and interesting detail, of the operations of the Bureau of American Ethnology during the fiscal year ended June 30, 1925. The report discloses an amazing degree of accomplishment along the lines of research in the field of the ethnology of the American Indians. In addition to the usual voluminous statistical information, there are incorporated in the report four extensive papers: *Social Organization and Social Usages of the Indians of the Creek Confederacy; Religious Beliefs and Medical Practices of the Creek Indians; Aboriginal Culture of the Southeast;* and *Indian Trails of the Southeast.* The value of these monographs is enhanced by the inclusion of cuts and maps.

Mystic Italy by Michael J. Rostovtzeff, published by Henry Holt & Company, New York, is a beautifully printed little volume, containing in a somewhat and enlarged form three lectures delivered as the Colver Lectures at Brown University by Professor Rostovtzeff in the spring of 1927. The title, as the author admits, is rather pretentious. The book is not a general survey of mystic religion in Italy, but is actually concerned with the analysis of certain monuments of Pompeii and Rome, which reveal the mystic tendencies in the various classes of society in these centres at the beginning of our era. Furthermore, the author in discussing these tendencies confines himself almost exclusively to the rites of Dionysus, which flourished at Pompeii and to a surprising degree at Rome also, it seems, at this time.

The work is copiously illustrated by thirty-four well-executed plates, and the "Notes" contain much valuable bibliographical material on Greco-Roman mystic religion.

M. R. P. M.

BOOKS RECEIVED

(Mention here does not preclude extended notice in later issues of the REVIEW)

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